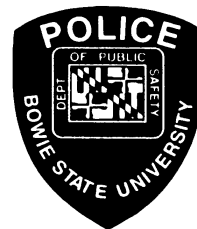


Bowie State University Police Department

General Order



<i>Subject: Traffic Enforcement</i>	<i>Number: 36</i>
<i>Effective Date: March, 2003</i>	<i>Rescinds: Arts. 6.15 and 6.16</i>
<i>Approved: Acting Director Roderick C. Pullen</i>	

This article contains the following sections:

- 36.1** *Policy*
 - 36.2** *Parking Citations*
 - 36.3** *Moving Citations*
 - 36.4** *Accident Investigation*
 - 36.5** *Towing*
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36.1 **Policy**

36.1.1 The purpose of traffic control and traffic enforcement is to safeguard the lives and property of the university community and to facilitate the orderly ingress and egress of vehicular and pedestrian traffic to and from campus.

36.1.2 Members shall establish control in their traffic stops, assess the situation, and deal with the motorist or pedestrian in a firm but courteous manner.

- a. The member shall seek to reduce the possibility of conflict with the person he/she has stopped.
- b. If a warning ticket will suffice, it may not be necessary to write a State Summons.
- c. Re-education of the public is the primary purpose of the BSUPD, with the goal of preventing traffic accidents on campus.

36.1.3 All State Motor Vehicle Summons books, State of Maryland Warning books, vehicular safety repair order books, and parking ticket books shall be dispensed by the Assistant Director or designee.

- a. All items must be turned in on the date of issuance.
- b. All traffic violations must be written legibly and clearly.
- c. It is the members' responsibility to ensure that he/she always has sufficient summonses, etc., and that he/she obtains replacement books in advance, as needed.

36.2 Parking Citations

36.2.1 Parking spaces at Bowie State University are at a premium, and certain areas of the campus must be kept clear of parked vehicles for operational and safety reasons. Accordingly, the BSUPD shall enforce the parking regulations to ensure that vehicles park properly, safely, and within restrictions.

- a. Members enforce the parking regulations and issue appropriate citations when they observe a violation.

36.2.2 Parking Citations

The BSUPD Parking Citation consists of three parts:

- a. Violator's Copy:
 - (1) Has black lettering printed on green paper; and
 - (2) Includes the citation, charging document, and instructions for payment of penalty and/or appeal.
- b. Court Copy:
 - (1) Has black lettering printed on white paper; and
 - (2) Contains only duplicate information of citation part.
- c. Department Record:
 - (1) Is the department's "file copy";
 - (2) Has black lettering printed on pink paper; and
 - (3) Contains duplicate information of citation part.

36.2.3 Parking Citation Book

- a. All BSUPD members shall be issued a Bowie State University Parking Citation Book.
- b. Each member shall be personally responsible for the book and the accountability of all tickets.
- c. At the time of the issuance, the member shall validate the citation numbers received and sign for them.
- d. The Parking Citation Book is required equipment and shall be carried by all BSUPD members.
- e. Citation books shall be monitored by supervisory personnel at roll call or impromptu inspections on the street.
 - (1) The member shall account for all citations at all times.

- (2) The supervisor shall take action to correct any deficiency immediately and document the situation.
- f. When a citation is issued, the tag number, state of registration, and the number of the citation shall be recorded in black ink on the inner cover of the Citation Book.
- g. Citations shall be issued in numerical sequence.
- h. A new Citation Book shall be issued by the assigned issuing member in the following manner:
 - (1) When 22 or more of the citations have been issued by the member to violators;
 - (2) When the issued citations have been properly recorded; and
 - (3) When the officer signs for a new book.
- i. When all 25 citations from a book are issued, the member shall turn in the empty book.
 - (1) The empty book includes the inside cover that has a record of the issued citations.
 - (2) The assigned issuing member shall collect the completed books.

36.2.4 Issuance and Preparation

- a. A BSUPD Parking Citation shall only be prepared and issued by a police officer or designated citation writer for a violation of the BSU Parking Rules and Regulations, or if the vehicle is in violation of a city ordinance on campus where BSUPD have concurrent jurisdiction.
 - (1) A parking violation must be personally observed by the officer in order for him/her to be authorized to issue a parking citation.
 - (2) If a vehicle observed has multiple parking violations, a separate citation shall be prepared for each violation.
- b. Citations shall be printed in black ink with a ball point pen.
 - (1) Pressure on the citation must be sufficient to obtain legible information on the member's (white) and file (pink) copies of the citation.
 - (2) Members preparing citations shall ensure that all three copies are clearly legible and the required information is complete before removing the violator's copy (green) from the Citation Book.
- c. Preparation of the citation is as follows:

- (1) *"Location of Violation"*: Specify the actual street area of the BSU location.
- (2) *"Make of Car"*: Specify the manufacturer's name, not the model; e.g., a Ford, two-door Mustang would only be noted as Ford.
- (3) *"License: Number, Year, and State"*:
 - (a) This information is taken directly from vehicle's license plates/tags.
 - (b) The month in figures, as well as the year, of expiration shall be recorded in the block marked "Year".
- (4) *"Violation is Indicated Below"*:
 - (a) The violation for which the vehicle is being cited shall be indicated by placing a number/alphabet in the appropriate box.
 - (b) The amount of the fine shall be circled and also written below in the violation box; e.g., "X Handicapped-- \$50.00."
- (5) In the instance where two types of violations are printed, a single line shall be drawn through the violation on which is not appropriate; e.g., "X Fire Lane -- \$20.00." This indicates the vehicle is parked in a fire lane and a fine of \$20.00 is the penalty.
- (6) It is imperative that the violation box and the circled fine agree.
 - (a) Some instances which have two types of violations also differentiate between a tow-away zone and a non-tow-away zone.
 - (b) The penalty, therefore, shall be clearly circled as appropriate and then written into the violation box; e.g., "X No-Stopping or Standing--\$20.00." This indicates the vehicle was illegally standing in an area designed as a tow-away zone, the penalty for which is \$20.00.
- (7) *"Date"*: The date the violation was observed by the issuing member shall be noted numerically with six digits by month, day, year: e.g., "01/21/95" indicates January 21, 1995.
- (8) *"Time"*:
 - (a) Military time shall not to be used.
 - (b) The time shall be noted using four digits and the a.m./p.m. designation: e.g., 10:42 a.m. indicates the vehicle was observed by the member issuing the citation at forty-two minutes after ten o'clock in the morning.

- (9) *"You must pay the above checked violation by: Month/Day/Year:"*
- (a) This is the returnable date for the citation.
 - (b) The returnable date shall be noted numerically with six digits by month, day, year.
 - (c) All Parking Citations are returnable no later than thirty (30) days after issuance.

36.2.5 Distribution of the Citation Copies

- a. The Violator's Copy (green) shall be placed on the windshield (driver's side), carefully secured with the wiper blade.
- b. The Department Record (white) and Court Record (pink) shall be placed into the department's Parking Citations Deposit Box no later than the end of the member's tour of duty during which the citation was issued.

36.2.6 Administrative Disposal

- a. Parking Citations are to be paid by the violator or adjudicated by the District Court Judge.
- b. Administrative processing is reserved for special cases when an error has been made on the citation.
- c. All citations that have been improperly or erroneously prepared, mutilated, or otherwise illegible or unusable shall not be issued.
 - (1) If the member makes an error while writing the citation, another citation, filled out correctly, shall be prepared and issued.
 - (2) If the member is writing a citation and realizes that no violation exists, he/she shall cease writing the citation.
 - (3) If a citation becomes mutilated, wet, or marked in a manner that leaves it unusable, members shall not use the citation or citations that are unusable and proceed to the issue the next available serviceable citation.
- d. In such cases the member shall submit Administrative Report (BSUPD Form 023) to his/her supervisor explaining the error, noting the corrected citation that was issued, if applicable, and attaching all copies of the incorrect citation.
 - (1) The member shall orally notify his/her supervisor as soon as the error is made and submit the report to the supervisor before the end of his/her tour of duty.
 - (2) Upon receipt of the member's report and incorrect citation, the supervisor shall prepare a letter of explanation, with the member's report and incorrect citation attached, through channels, to the Assistant Director. The report shall also include:

- (a) A recommendation concerning the disposition of the incorrect citation; and
 - (b) A recommendation for disciplinary or corrective action, if appropriate.
 - (3) The supervisor's report shall be submitted as soon as possible, but no later than the end of the next business day.
 - (a) If the report cannot be submitted before the supervisor's tour of duty on the day the citation was incorrectly written, the supervisor shall prepare a written note of the matter to the Shift Commander so that a record exists of the missing citation.
 - (b) If necessary, the Shift Commander shall forward the note to the Administrative Section for their information.
 - (c) Upon receipt of the supervisor's report, the Shift Commander shall note his/her concurrence/non-concurrence with the recommendation(s).
 - (4) Upon receipt of the supervisor's report, the Assistant Director note his/her concurrence/non-concurrence with the recommendation(s), and forward the complete package, including the supervisor's report, the member's report, and all copies of the citation, to the Director of Campus Safety.
- e. Parking Citations shall only be voided by the Director of Campus Safety or his/her designee.

36.3 Moving Citations

36.3.1 On July 1, 1986, the New Maryland Uniform Complaint and Citation was implemented. The new traffic citation combines the traffic citation and the Witness Summons.

- a. The BSUPD has concurrent jurisdiction with the Prince George's Police Department within the boundaries of the campus and can enforce Motor Vehicle Laws and other local ordinances as set forth in the Annotated Code of Maryland.
- b. Members shall enforce the Motor Vehicle Laws and issue appropriate citations when they observe a violation.

36.3.2 Maryland Uniform Complaint and Citation Books

- a. Members shall be issued a Maryland Uniform Complaint and Citation Book.
- b. Each member shall be personally responsible for the book and the accountability of all citations.
- c. At the time of issuance, members shall validate the citation numbers received and sign for them.
- d. The Maryland Uniform Complaint and Citation Book is required equipment and shall be carried by the member.
- e. Uniform Complaint and Citation Books will be monitored by supervisory personnel at roll call or impromptu inspections on the street.
 - (1) The member shall account for all citations at all times.
 - (2) The inspecting supervisor shall take action to correct any deficiency immediately and document the situation.
- f. When a citation is issued, the citation number, date issued, and trial date shall be entered on the "Tally" page of the citation book. The name of the issuing member shall be noted in the remarks column.
- g. Uniform Complaints and Citations shall be issued in numerical sequence.
- h. A new Uniform Complaint and Citation Book will be issued by the assigned issuing member in the following manner:
 - (1) When 22 or more of the citations have been issued by the member to violators;
 - (2) When the issued citations have been properly recorded on the tally page; and
 - (3) When the member signs for a new book.
- i. When all 25 citations are issued, the member must turn in the empty book.
 - (1) The empty book includes the tally page containing a record of the issued citations.
 - (2) The assigned issuing member shall collect the completed books.

36.3.3 Issuance and Preparation

- a. Uniformed Complaints and Citations shall only be prepared and issued by a member for a violation of the Maryland Motor Vehicle Laws on campus where BSUPD has concurrent jurisdiction.
 - (1) The violation must be personally observed by the issuing Police Officer.
 - (2) If multiple violations are observed, a separate citation shall be prepared for each violation.

- b. Uniform Complaint and Citations shall be printed in black ink with ball point pen.
 - (1) Pressure on the citations shall be sufficient to obtain legible information on the Law Enforcement Headquarter's (yellow), Officer's (pink), and Defendant's (white) copies of the Complaint and Citation.
 - (2) Members preparing citations shall ensure that all (4) copies are clearly legible and that the required information is complete before removing the defendant's copy (white) from the Citation Book.
- c. If a witness is to be summoned, the member shall check the witness box and complete information on the reverse side of the court copy (white).
- d. If citations are related, the member shall check "Related Citation" and write the related citation number(s) in the designated area.
 - (1) The member shall ensure that he/she loops correctly, i.e., on the first citation issued, he/she enter the citation number on the second issued citation; on the second citation, he/she shall enter the number of the third citation issued; and so on until the last citation is issued.
 - (2) On the last citation issued, the member shall write the number of the first citation issued.

Example:

First: Citation # 4464097 - on this write 4464098 as a related citation;

Second: Citation # 4464098 - on this write 4464099 as a related citation;

Last: Citation # 4464099 - on this write 4464097 as related citation.

- e. The member shall enter the number of the defendant's driver license, including license class and state of issuance. If the defendant has no license number, enter "NONE".
- f. The member shall enter the defendant's full first, middle, and last name. If a non-resident license indicates only initials for the first or middle name, the member shall inquire as to the defendant's given name and record the full name, not just the initial(s).
- g. The member shall enter the defendant's street address, box number, apartment number, etc.
 - (1) The term "No Fixed Address" shall not be entered.
 - (2) The current address, if different from that shown on the license, shall be entered.

- (3) The member may enter the address shown on the license, if different from the current address on the reverse side of the court copy (white). The defendant will then receive notices at two addresses.
- h. The member shall print the name of the city, state, and zip code in which the defendant resides.
- i. The member shall enter the height, weight, race, sex, and birth date of the defendant.
 - (1) If the license indicates only a month and year for the birth date, the member shall inquire as to the day of birth and record the full date of birth (month/day/year).
 - (2) The members shall also enter the defendant's telephone number.
 - (3) The following codes for race shall be used:
 - 1 - Black, Colored, American Negro
 - 2 - White, Caucasian, Asiatic Indian and Arab
 - 3 - Mongoloid, Oriental Asiatic
 - 4 - Mongoloid, American Indian
 - 5 - Unknown
- j. The member shall enter the vehicle registration number and state of issuance.
 - (1) If the vehicle displays no registration, the word "NONE" shall be entered.
 - (2) The word "Bicycle" or "Moped", if appropriate, shall be entered.
 - (3) The year, make, and type of vehicle shall be entered.
 - (4) The vehicle type shall be listed as indicated on the registration card, i.e., 2 DHT, 2-DR S/W, TRAC., etc.
- k. The month, day, and year of violation shall be numerically entered.
- l. The member shall enter the time and the appropriately mark the a.m. or p.m. block.
- m. If the defendant contributed to an accident, the member shall check the appropriate block and indicate whether injury or property damage accident was sustained.
- n. If the recipient of the citation was wearing a safety belt at the time of the accident, the member shall check the safety belt block.
- o. The member shall record the precise location of the violation and include the words "Prince George's County."
- p. Under the word "County", the member shall write "Arrest Type" and use the applicable code shown below:
 - A. Marked Patrol Car
 - B. Unmarked Patrol Car
 - C. Marked Car, VASCAR

- D. Unmarked Car, VASCAR
- E. Marked Car, Stationary Radar
- F. Unmarked, Stationary Radar
- G. Marked Car, Moving Radar (Stationary)
- H. Unmarked Car, Moving Radar (Stationary)
- I. Marked Car, Moving Radar (Moving)
- J. Unmarked Car, Moving Radar (Moving)
- K. Aircraft Assistance
- L. Motorcycle
- M. Administrative
- N. Foot Patrol
- O. Other

- q. If the license of the defendant has been suspended or revoked for an alcohol offense, the member shall check the block "A/R Susp. Rev."
- r. If the violation charged to the defendant is of a section of the law printed on the citation, the member shall circle the appropriate number (1 through 44) and shall not write a narrative or description in the space available for writing a charge.
 - (1) Only one charge may be circled.
 - (2) If a speeding violation is circled, the member shall include the speed the defendant was travelling in the appropriate blocks.
- s. When charging a defendant for Driving While Intoxicated or Under the Influence, the member shall circle Charge #33 (21-902) only.
- t. If a violation is not printed on the citation determine for a charge that is a violation of the Transportation Article (Motor Vehicle Law), the member shall check the box "TA".
 - (1) A violation of a local ordinance or public local law shall be noted by checking the box "LO".
 - (2) Maryland Regulations are charged by checking the box "MR".
 - (3) The title (section), sub-title (sub-section), paragraph, and code identified on the Schedule of Fines shall be entered.
- u. The member shall write the charge as printed in the fine schedule.
- v. The members shall check the Schedule of Pre-Set Fines established by the District Court of Maryland for the proper fine and check the appropriate fine box.
- w. The member shall indicate by checking the appropriate box whether the defendant may pay the fine or must appear at trial, as directed by the District Court of Maryland Schedule of Fines.

- x. The member shall sign his/her name on the appropriate signature line.
 - (1) If more than one officer is placing traffic charges against a defendant in a case, the sergeant shall assume the responsibility of Primary Charging Officer.
 - (2) The sergeant shall issue and sign his signature to all Maryland Uniform Complaints and Citations associated with the case.
 - (3) The member shall also complete the Witness Summons information on the reverse side of the original citation (white copy) including names, assignments, mailing addresses, and zip codes for each member needed to testify.
- y. The member shall enter the radar/breathalyzer operator's name, agency, and identification number only if the operator is required to appear in court in all cases.
- z. The defendant is required to sign at the line marked "X".

36.3.4 Distribution of the Citation Copies

- a. The Defendant's Copy (white) shall be given to the violator at the time of issuance, with the attached envelope.
- b. The Law Enforcement Headquarters' (yellow) and Court Copy (white) shall be placed in the Police Citations Deposit Box in the PCO Room no later than the end of the tour of duty during which the citation was issued.
- c. The Officer's Copy (pink) shall be retained by the issuing member.

36.3.5 Administrative Disposal

- a. Uniform Complaints and Citations are to be paid by the violator or adjudicated by a District Court Judge.
- b. Administrative processing is reserved for special cases when an error has been made on the citation.
- c. If a member notes an error after writing a citation and a copy has been given to the defendant, the citation must follow normal procedure and be disposed of in open court.
 - (1) Such a citation may not be voided.
 - (2) The State's Attorney, on the day of trial in open court, may amend or may Nol Pros the citation.
 - (3) The member may then write a new citation with the correct charge.
- d. All citations that have been improperly or erroneously prepared, mutilated, or otherwise illegible or unusable, and not yet issued to a violator, shall not be issued.

- (1) If the member makes an error while writing the citation, another citation, filled out correctly, shall be prepared and issued.
- (2) If the member is writing a citation and realizes that no violation exists, he/she shall cease writing the citation.
- (3) If a citation becomes mutilated, wet, or marked in a manner that leaves it unusable, members shall not use the citation or citations that are unusable and proceed to issue the next available serviceable citation.

e. In cases described in sub-section -d above, the member shall submit Administrative Report (BSU Form 023) to his/her supervisor explaining the error, noting the corrected citation that was issued, if applicable, and attaching all copies of the incorrect citation.

- (1) The member shall orally notify his/her supervisor as soon as the error is made and submit the report to the supervisor before the end of his/her tour of duty.
- (2) Upon receipt of the member's report and incorrect citation, the supervisor shall prepare a letter of explanation, with the member's report and incorrect citation attached, through channels, to the Assistant Director. The report shall also include:
 - (a) A recommendation concerning the disposition of the incorrect citation; and
 - (b) A recommendation for disciplinary or corrective action, if appropriate.
- (3) The supervisor's report shall be submitted as soon as possible, but no later than the end of the next business day.
 - (a) If the report cannot be submitted before the supervisor's tour of duty on the day the citation was incorrectly written, the supervisor shall prepare a written note of the matter to the Shift Commander so that a record exists of the missing citation.
 - (b) If necessary, the Shift Commander shall forward the note to the Administrative Section for their information.
 - (c) Upon receipt of the supervisor's report, the Shift Commander shall note his/her concurrence/non-concurrence with the recommendation(s).
- (4) Upon receipt of the supervisor's report, the Assistant Director note his/her concurrence/non-concurrence with the recommendation(s), and forward the complete package, including the supervisor's report,

the member's report, and all copies of the citation, to the Director of Campus Safety.

(5) Such citations shall only be voided by the Director of Campus Safety or his/her designee.

36.4 Accident Investigations

36.4.1 The Transportation Articles of the State of Maryland allow police agencies to investigate personal injury and State vehicle accidents, serious property damage accidents where the vehicle is towed, and hit and run accidents with high solvability factors.

36.4.2 Members shall prepare and submit reports on all motor vehicle accidents involving university vehicles or property regardless of the amount of damage.

36.4.3 In accidents involving police vehicles, a complete written report shall accompany the MAARS report.

- a. This report shall include photographs and, in most cases, also require a diagram of the accident.
- b. Departmental accidents shall be investigated by the Shift Commander on duty.

36.4.4 State Summonses shall be issued where definite fault can be determined. Summonses may be issued if the investigating officer determines that fault may be evident but not definite.

36.4.5 Personal injury traffic accidents shall be photographed under the following guidelines:

- a. If an injury is serious enough to warrant citation and ambulance service;
- b. If damage to vehicles does not clearly indicate cause of the accident;
- c. All pedestrian accidents; and
- d. Any other personal injury accident where the investigating officer feels photographs are necessary.

36.4.6 At no time shall a member transport a victim of a personal injury accident to Health Services or to the hospital:

- a. Unless the victim has first been examined by a doctor,
- b. Upon the request of the doctor; and
- c. Unless the emergency medical transport is cleared with a supervisor, except when circumstances dictate that no such time may be spared.

36.4.7 If at any time there is doubt as to the extent of the victim's injuries, the member shall request that the victim be transported to Health Services or the hospital by ambulance. If the victim refuses to be transported, the member shall enter the victim's refusal in the radio log and have the log witnessed.

36.4.8 Measurements and markings shall be made at all pedestrian accidents and all serious personal injury accidents.

36.4.9 All operators or passengers transported to the hospital before statements are taken require the investigating officer to proceed to the hospital for interview and determination of injuries.

36.4.10 The investigating officer should follow up with telephone checks to the hospital to determine the condition of those individuals seriously injured. If a student is injured, Health Services personnel shall be notified by the investigating officer.

36.4.11 Fatal accidents shall require the following procedures:

- a. The Prince George's County Police Department shall be called to handle fatal accidents.
- b. The Shift Commander shall be notified and shall be present at the scene of the accident.
- c. The Director and Assistant Director shall be notified immediately.
- d. Any press releases of the accident shall be coordinated between the county police and the Assistant Director.
- e. At no time shall a press release revealing identifying information be made until the next of kin is notified.
- f. At no time shall radio transmissions carry the word "Fatal" or the name of victim.

36.4.12 In accidents where gasoline has been spilled in the street or on vehicles, the investigating officer shall request the fire department to wash down the area.

36.4.13 At the scene of any accident, members shall take prompt action to assist the injured and to obtain all information which would be of value in determining the cause of the accident.

36.4.14 Hit-and-run accidents, reported within 48 hours after the accident, may be reported.

- a. An effort to ascertain unknown driver(s) shall be made, to include paint samples, witnesses, photographs, suspect vehicles, etc.
- b. If a member suspects that a hit-and-run accident is a false report, he/she shall notify the Shift Commander for consultation before taking further action.

36.5 Towing

36.5.1 Authorization for towing vehicles is as follows:

- a. The vehicle is evidence or believed to have been utilized as an instrument of a crime;

- b. The vehicle is abandoned;
- c. The vehicle is illegally parked in a designated "TOW AWAY" area;
- d. The vehicle is disabled, blocking a roadway and is a danger to the public;
- e. The vehicle is obstructing a marked fire lane, prohibiting full passage of fire equipment;
- f. The operator has been arrested and the vehicle is parked illegally.

36.5.2 Procedures for towing vehicles is as follows:

- a. The decision to tow a vehicle should be made by the Shift Commander.
- b. Non-university vehicles shall be towed to the towing company's garage.
- c. The towed vehicle shall be left locked, if possible.
- d. All property shall be inventoried at the scene, if the involved party is not present or is unable to care for the vehicle.
 - (1) The inventory shall be visual only.
 - (2) All property shall remain with the vehicle and shall become the responsibility of the towing company.
- e. An impoundment sheet shall be filled out by the member at the scene.
- f. If practical, photographs shall be taken of the exterior/interior of vehicle.
- g. Towing fees are not set or negotiated by police personnel.
 - (1) Towing fees are handled between the towing company and the operator/owner.
 - (2) The towing company has possession of the vehicle once its representative signs the impoundment sheet accepting responsibility.

36.5.3 All vehicles determined to be abandoned shall be reported to the Assistant Director for processing. The department shall have members certified by the State Motor Vehicle Administration and assigned as abandoned vehicle officers.

36.6 **Hot Pursuit (Revision Pending 7/30/03 – See Article 39)**