

## Traffic

### 500.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for improving public safety through education and enforcement of traffic-related laws.

#### 500.1.1 DEFINITIONS

The following definitions apply to this policy:

**Traffic Stop (T-Stop)** - Any time an officer initiates contact which results in the detention of a motorist. A traffic stop does not include contacts initiated to provide assistance to a motorist or any contacts associated with broadcast notifications or calls for service.

**Precinct Traffic Stop Report** – A statistical analysis of traffic stop activity which includes:

- (a) comparisons of the number, reason and disposition of traffic stops and vehicle searches across the Department;
- (b) a list of incomplete stops by officer; and,
- (c) a comparison of the number of stops to the number of tickets written by officer.

**Traffic Stop Study** – A scholarly analysis performed by a contracted subject matter expert focused on the relationship between race/ethnicity and traffic enforcement.

**Checkpoint Commander** - A supervising officer, at the rank of sergeant or above, who is in charge of a roadway safety or sobriety checkpoint.

### 500.2 POLICY

It is the policy of the Suffolk County Police Department to educate the public on traffic-related issues and to enforce traffic laws. The efforts of the Department will be driven by such factors as the location and/or number of traffic accidents, citizen complaints, traffic volume, traffic conditions and other traffic-related needs. The ultimate goal of traffic law enforcement and education is to increase public safety.

### 500.3 DEPLOYMENT

Enforcement efforts may include such techniques as geographic/temporal assignment of Department members and equipment, the establishment of preventive patrols to deal with specific categories of unlawful driving and a variety of educational activities. These activities should incorporate methods that are suitable to the situation; timed to events, seasons, past traffic problems or locations; and, whenever practicable, preceded by enforcement activities.

Several factors will be considered in the development of deployment schedules for Department members. State and local data on traffic accidents are a valuable resource. Factors for analysis include, but are not limited to:

- Day, time and location

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- Violation factors
- Requests from the public
- Construction zones
- School zones
- Special events

Department members assigned to uniformed patrol or traffic enforcement functions will emphasize the enforcement of violations that contribute to traffic accidents and also will consider the hours and locations where traffic accidents tend to occur. Members will take directed enforcement action on request and random enforcement action when appropriate. Members shall maintain high visibility while working general enforcement, especially in areas where traffic accidents frequently occur.

The Department may use speed measuring devices in traffic enforcement operations. Members must be properly trained in the use and operation of such devices. The Department will ensure that all such equipment is properly calibrated and that all necessary records are maintained so as to ensure that speed measurements are legally admissible. The Highway Patrol Bureau is responsible for training on device use, distribution of devices to other commands for use and for maintenance, calibration and record maintenance on devices.

### **500.4 ENFORCEMENT**

Traffic enforcement will be consistent 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 tickets issued by any member shall not be used as the sole criterion for evaluating member overall performance.

Traffic enforcement should be focused on the prevention of traffic accidents.

#### **500.4.1 TRAFFIC STOP INITIATION**

Upon initiating a traffic stop, an officer shall inform the motorist of his/her name and agency affiliation and the reason for the stop unless the officer encounters physical resistance, flight or other factors rendering such procedure impractical.

#### **500.4.2 WARNINGS**

Warnings are a non-punitive option that may be considered by the member when circumstances warrant, such as when a minor violation was inadvertent.

#### **500.4.3 TICKETS**

Tickets should be issued when a member believes it is appropriate. When issuing a ticket for a traffic offense, it is essential that the rights of, and requirements imposed on, motorists be fully explained. At a minimum, motorists should be provided with:

- (a) An explanation of the offense or charge.

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- (b) The court appearance procedure, including the optional or mandatory appearance by the motorist.
- (c) A notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

See the Traffic and Parking Tickets Policy for further information.

### 500.4.4 PHYSICAL ARREST

Physical arrest should generally not be made for a traffic infraction unless the officer cannot verify the driver's identity, has reason to believe that the driver will fail to appear in court or has reason to believe that the driver will continue to violate the law and place others at risk.

Officers should exercise discretion in determining whether a physical arrest is appropriate for misdemeanor traffic offenses. Physical arrests shall be made for offenses involving alcohol or drug intoxication or impairment and felony traffic offenses.

See the Field Appearance Tickets and Processing of Arrests of Adults Policies for additional guidance.

See the Driving While Intoxicated and Related Offenses Policy for additional guidance.

### 500.5 SUSPENDED OR REVOKED LICENSES

If an officer contacts a traffic violator who is driving with a suspended or revoked license or operating privilege, the officer should issue a traffic ticket or make an arrest as appropriate.

An officer shall impound a vehicle for Aggravated Unlicensed Operation of a Motor Vehicle in the First or Second degree pursuant to Vehicle and Traffic Law (VTL) § 511-b, if any of the following factors exist:

- (a) The driver is the registered owner of the vehicle.
- (b) The vehicle is not properly registered.
- (c) Proof of financial security is not produced.
- (d) The driver is not the registered owner of the vehicle, and no other licensed driver authorized to drive the vehicle is present.

If the driver is not the owner of the vehicle, the Department is required to notify the owner (VTL § 511-c).

Under certain circumstances, officers are required by Suffolk County Code to impound vehicles in conjunction with Aggravated Unlicensed Operation in the Third degree, Unlicensed Operation of a Motor Vehicle and several other offenses.

See the Vehicle Towing Policy for additional information.

### 500.6 TRAFFIC ENFORCEMENT AND ACCIDENT RESPONSE STRATEGY

Each precinct executive officer is responsible for developing and overseeing the implementation of the precinct's traffic enforcement and accident reduction strategy.

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The Highway Patrol Bureau will perform an analysis of all fatal and serious physical injury motor vehicle accidents and report pertinent information to the Office of the Chief of Department for use in enforcement strategy planning, as well as, education and engineering referrals to outside agencies.

### **500.7 HIGH-VISIBILITY VESTS**

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests and raincoats to increase the visibility of Department members who may be exposed to hazards presented by passing traffic or by maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601).

#### **500.7.1 REQUIRED USE**

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn when increased visibility would improve the safety of the Department member or when the member will be exposed to the hazards of passing traffic or will be maneuvering or operating vehicles, machinery and equipment.

Examples of when high-visibility vests should be worn include traffic control duties, traffic accident investigations, traffic checkpoints, lane closures and disaster scenes.

When emergency conditions preclude the immediate donning of the vest, members 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.

#### **500.7.2 CARE AND STORAGE**

High-visibility vests and raincoats are individually issued. Each vest or raincoat should be stored in such a manner as to protect and maintain the vest and raincoat in a serviceable condition.

### **500.8 POLICE AGENCY REQUEST FOR DRIVER REVIEW OR SAFETY HEARING**

When an officer becomes aware of a motor vehicle being operated in an unsafe manner, and he/she believes that the danger to highway safety can only be eliminated through the suspension or revocation of an individual's driver's license, driving privileges, or vehicle registration, he/she shall make the appropriate request to the New York State Department of Motor Vehicles (DMV).

A driver review is a DMV driver's license retesting procedure. It may include all or part of the usual original driver's licensing requirements. A motorist's driver's license or registration may be suspended or revoked as a result of this review.

See procedure for further guidance: [DRIVER REVIEW REQUEST](#)

A safety hearing is a DMV hearing based on a specific incident(s) such as a DWI arrest, a certain number of points on a driver's license or a complaint from a police officer, etc., in which a motorist's driver's license or privilege may be suspended or revoked.

See procedure for further guidance: [SAFETY HEARINGS](#)

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### 500.9 TRAFFIC STOP DATA COLLECTION

In support of the Department's commitment to bias free policing, the Traffic Stop Data Collection Program shall collect data on all officer-initiated traffic stops throughout the police district. This collected data will be analyzed to ensure that all traffic enforcement operations are conducted in a bias-free manner.

Data shall be collected on all traffic stops. Data shall be entered into the Mobile Data Computer (MDC) or on the [Traffic Stop Data Collection Report \(PDCS-3226c\)](#) if an MDC is not available.

If an MDC is not available, officers shall complete the Traffic Stop Data Collection Worksheet (PDCS-3226c) for each tour of duty in which traffic stops occur. The data collected on this form will be entered into the Traffic Stop Data Collection Program by the officer when a computer is available.

See procedure for further guidance: [TRAFFIC STOP DATA COLLECTION WITH MDC](#)

#### 500.9.1 SUPERVISOR RESPONSIBILITIES

- (a) Patrol sergeants shall confirm database entries are made for observed traffic stops and check incomplete entries for their subordinates on a weekly basis.
- (b) Patrol lieutenants shall monitor the incomplete traffic stop records and disseminate this information to their subordinate supervisors.
- (c) Commanding Officers shall:
  1. Review the quarterly Precinct Traffic Stop Report
  2. Submit a report to the Chief of Patrol which acknowledges review of the Precinct Traffic Stop Report, lists all officers identified as exhibiting deficiencies or irregularities in traffic enforcement activities, and explains any remedial action taken.
- (d) The Office of the Chief of Patrol shall:
  1. Disseminate Precinct Traffic Stop Reports to the Commanding Officers of each precinct and Highway Patrol Bureau on a quarterly basis
  2. Provide the Police Commissioner a report summarizing the responses received from each subordinate command.

#### 500.9.2 RESEARCH AND DEVELOPMENT SECTION RESPONSIBILITIES

The Research and Development Section shall review and audit traffic stop data to verify integrity and accuracy. The reviews and audits shall be performed quarterly and at additional times upon request of the Department command staff.

The Research Analyst assigned to the Office of the Police Commissioner shall forward the raw data to the Research and Development Section, which shall verify the data for integrity and accuracy. The Research and Development Section shall advise the submitting Research Analyst when the verification has been completed. The Research Analyst will then e-mail the raw data as an attachment to the Information Technologies Section for posting on the Department website.

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The raw data shall be posted within 45 days of the preceding quarter's completion.

The Research and Development Section shall collect the raw T-Stop data and provide it to the subject matter expert contracted to perform the analysis and author a report.

### 500.9.3 OFFICE OF THE POLICE COMMISSIONER RESPONSIBILITIES

The Office of the Police Commissioner shall:

- (a) Publish Traffic Stop Data Collection Program (TSDCP) raw data on the Department's web page.
- (b) Create and provide to the Chief of Patrol Precinct Traffic Stop Reports.
- (c) Create and publish an annual summary of Precinct Traffic Stop Reports.
- (d) Publish traffic stop studies received from contractors.
- (a) Studies which contain actionable evidence of individualized biased policing shall be referred to Internal Affairs for investigation.
- (b) Publication of all studies shall be delayed or redacted to preserve the integrity of any pending investigation initiated as a result of a study's findings.

### 500.10 ROADWAY CHECKPOINTS

The purpose of a safety checkpoint is to ensure that motorists are licensed and carefully operating their vehicles and that their vehicles are fit for safe operation. The purpose of a sobriety checkpoint is to reduce the number of persons who drive while impaired or intoxicated. While officers assigned to checkpoints are expected to make arrests of motorists that are operating motor vehicles while impaired or intoxicated, they should be mindful of the public education facet of these operations. Sobriety checkpoints serve as a public education tool by establishing a perception that the probability of being arrested for driving while impaired or intoxicated is great. The United States Supreme Court has ruled that a checkpoint may not be used for suspicionless criminal investigations. However, this ruling does not preclude the use of appropriately tailored checkpoints in response to exigent circumstances.

See procedure for further guidance: [PERSONNEL](#)

See procedure for further guidance: [SITE SELECTION](#)

See procedure for further guidance: [TIME OF OPERATION](#)

See procedure for further guidance: [EQUIPMENT](#)

See procedure for further guidance: [EXIGENT CIRCUMSTANCES](#)

See procedure for further guidance: [CHECKPOINT COMMANDER RESPONSIBILITIES](#)

See procedure for further guidance: [BRIEFING OF PERSONNEL AND POST CHECKPOINT REPORTS](#)

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See procedure for further guidance: [SCREENING OF MOTORISTS](#)

See procedure for further guidance: [COMMUNICATION WITH MOTORISTS](#)

See procedure for further guidance: [UNCOOPERATIVE MOTORISTS](#)

### **500.11 MOTOR CARRIER SAFETY SECTION – INSPECTION OF COMMERCIAL MOTOR VEHICLES**

The Motor Carrier Safety Section (MCSS) enforces federal, state, and local laws to reduce the number of fatalities and serious accidents on roadways involving commercial motor vehicles. All inspections are to be conducted in accordance with the North American Standard Inspection Procedures established by the Commercial Vehicle Safety Alliance (CVSA). Commercial motor vehicles are selected for inspection in a manner that is consistent with CVSA Operational Policy 13 , and in a non-discriminatory manner as required by Title VI of the Civil Rights Act of 1964 and related non-discrimination authorities.

See procedure for further guidance: [SELECTION OF COMMERCIAL MOTOR VEHICLES FOR INSPECTION](#)

See procedure for further guidance: [INSPECTION SITE SELECTION](#)

See procedure for further guidance: [CONDUCT AND DOCUMENTATION OF THE INSPECTION](#)

### **500.12 ATTENDANCE AT NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES HEARINGS**

All Department personnel assigned to a DMV hearing (DWI Refusal, Zero Tolerance, etc.) at the NYS Office Building in Hauppauge are required to appear as scheduled.

The DMV Hearing Office is located at:

250 Veteran's Memorial Highway

Room 3B49

Hauppauge, NY 11788

(631) 952-6724

If an assigned officer is sick or otherwise unable to complete his/her required DMV appearance, the officer must ensure that, upon notifying his/her command, he/she makes the command aware of their scheduled DMV appearance for that date/time. The officer's command must immediately contact the DMV Hearing Office directly to reschedule the officer's appearance. The Officer-in-Charge shall document these circumstances via submission of an Internal Correspondence (PDCS-2042) through the chain of command to the Office of the Chief of Patrol.

## Attachments



**Traffic Stop Data Collection  
Report PDCS-3226 Lexipol 500.pdf**

<b>CC #:</b>	<b>Date:</b>
<b>Unit:</b>	<b>Post:</b>

**POLICE DEPARTMENT COUNTY OF SUFFOLK, NEW YORK**

ACCREDITED LAW ENFORCEMENT AGENCY

**TRAFFIC STOP DATA COLLECTION WORKSHEET PDCS-3226c**



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<b>1</b>	<b>Plate #</b>	<b>State</b>	<b>Location of Stop</b>
<b>Reason for Stop:</b> <input type="checkbox"/> Speeding <input type="checkbox"/> Cell Call/Text <input type="checkbox"/> Red Light <input type="checkbox"/> Stop Sign <input type="checkbox"/> Reasonable Suspicion of a Crime <input type="checkbox"/> Other Moving Violations <input type="checkbox"/> Seat Belt <input type="checkbox"/> Other VTL			
<b>Duration of Stop:</b> <input type="checkbox"/> 0-15 Min <input type="checkbox"/> 16-30 Min <input type="checkbox"/> 30+ Min		<b>Force used During Stop:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Total Tickets Issued:</b> <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5+
<b>Vehicle Searched:</b> <input type="checkbox"/> No Search Conducted <input type="checkbox"/> Search Conducted w/o Consent <input type="checkbox"/> Search Conducted with Signed Consent <input type="checkbox"/> Search Conducted w/o Signed Consent		<b>Reason for Search:</b> <input type="checkbox"/> Plain View <input type="checkbox"/> Consent <input type="checkbox"/> Probable Cause -Drugs <input type="checkbox"/> Probable Cause -Other	<b>Equipment Violations:</b> <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5+
		<b>Outcome of Search:</b> <input type="checkbox"/> Nothing <input type="checkbox"/> Drugs <input type="checkbox"/> Weapon <input type="checkbox"/> Other	<b>Canine Called</b> <input type="checkbox"/> Yes <input type="checkbox"/> No

<b>2</b>	<b>Driver</b>	<b>Approximate Age:</b> <input type="checkbox"/> 16-25 <input type="checkbox"/> 26-35 <input type="checkbox"/> 36-45 <input type="checkbox"/> 46-55 <input type="checkbox"/> 56-65 <input type="checkbox"/> 66 to Over	<b>Gender:</b> <input type="checkbox"/> Male <input type="checkbox"/> Female	<b>Apparent Race/Ethnicity:</b> <input type="checkbox"/> Hispanic <input type="checkbox"/> Black/African American <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> White Non-Hispanic <input type="checkbox"/> Other
<b>Search Conducted:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Reason for Search:</b> <input type="checkbox"/> Protective Frisk <input type="checkbox"/> Probable Cause <input type="checkbox"/> Plain View <input type="checkbox"/> Consent <input type="checkbox"/> Incident to Arrest	<b>Outcome of Search:</b> <input type="checkbox"/> Nothing <input type="checkbox"/> Weapon <input type="checkbox"/> Contraband <input type="checkbox"/> Other		<b>Asked to Exit Vehicle</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Where Was Driver Placed:</b> <input type="checkbox"/> Back of Unit <input type="checkbox"/> Side of Road		<b>Restrained:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Disposition:</b> <input type="checkbox"/> Ticket Issued <input type="checkbox"/> Verbal Warning Issued <input type="checkbox"/> Arrest <input type="checkbox"/> Other	

<b>3</b>	<b>Passenger</b>	<b>Approximate Age:</b> <input type="checkbox"/> 16-25 <input type="checkbox"/> 26-35 <input type="checkbox"/> 36-45 <input type="checkbox"/> 46-55 <input type="checkbox"/> 56-65 <input type="checkbox"/> 66 to Over	<b>Gender:</b> <input type="checkbox"/> Male <input type="checkbox"/> Female	<b>Apparent Race/Ethnicity:</b> <input type="checkbox"/> Hispanic <input type="checkbox"/> Black/African American <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> White Non-Hispanic <input type="checkbox"/> Other
<b>Search Conducted:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Reason for Search:</b> <input type="checkbox"/> Protective Frisk <input type="checkbox"/> Probable Cause <input type="checkbox"/> Plain View <input type="checkbox"/> Consent <input type="checkbox"/> Incident to Arrest	<b>Outcome of Search:</b> <input type="checkbox"/> Nothing <input type="checkbox"/> Weapon <input type="checkbox"/> Contraband <input type="checkbox"/> Other		<b>Asked to Exit Vehicle</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
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<b>Search Conducted:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Reason for Search:</b> <input type="checkbox"/> Protective Frisk <input type="checkbox"/> Probable Cause <input type="checkbox"/> Plain View <input type="checkbox"/> Consent <input type="checkbox"/> Incident to Arrest	<b>Outcome of Search:</b> <input type="checkbox"/> Nothing <input type="checkbox"/> Weapon <input type="checkbox"/> Contraband <input type="checkbox"/> Other	
<b>Where Was Passenger Placed:</b> <input type="checkbox"/> Back of Unit <input type="checkbox"/> Side of Road		<b>Restrained:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Disposition:</b> <input type="checkbox"/> Ticket Issued <input type="checkbox"/> Verbal Warning Issued <input type="checkbox"/> Arrest <input type="checkbox"/> Other

<b>Passenger</b>	<b>Approximate Age:</b> <input type="checkbox"/> 16-25 <input type="checkbox"/> 26-35 <input type="checkbox"/> 36-45 <input type="checkbox"/> 46-55 <input type="checkbox"/> 56-65 <input type="checkbox"/> 66 to Over	<b>Gender:</b> <input type="checkbox"/> Male <input type="checkbox"/> Female	<b>Apparent Race/Ethnicity:</b> <input type="checkbox"/> Hispanic <input type="checkbox"/> Black/African American <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> White Non-Hispanic <input type="checkbox"/> Other
<b>Search Conducted:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Reason for Search:</b> <input type="checkbox"/> Protective Frisk <input type="checkbox"/> Probable Cause <input type="checkbox"/> Plain View <input type="checkbox"/> Consent <input type="checkbox"/> Incident to Arrest	<b>Outcome of Search:</b> <input type="checkbox"/> Nothing <input type="checkbox"/> Weapon <input type="checkbox"/> Contraband <input type="checkbox"/> Other	
<b>Where Was Passenger Placed:</b> <input type="checkbox"/> Back of Unit <input type="checkbox"/> Side of Road		<b>Restrained:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Disposition:</b> <input type="checkbox"/> Ticket Issued <input type="checkbox"/> Verbal Warning Issued <input type="checkbox"/> Arrest <input type="checkbox"/> Other

**Officer:** \_\_\_\_\_  
Name

**Signature:** \_\_\_\_\_

Rank / Shield / Command