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OVERVIEW OF TRAFFIC LAW ENFORCEMENT CONCEPTS



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OVERVIEW OF TRAFFIC LAW ENFORCEMENT CONCEPTS

ABSTRACT

This self-instructional unit is designed to provide the student with a general understanding of the rationale, objectives, and procedures involved in the use of the Enforcement Index, in selective motor vehicle law enforcement, in traffic surveillance, and in the various enforcement actions available to the police officer.

BEHAVIORAL OBJECTIVES

Upon completion of this self-instructional unit the student will be able to:

- Identify the formula for calculating the Enforcement Index (EI)
- Define the following terms:
 - Selective enforcement
 - Traffic patrol
 - Traffic warning
 - Maryland Uniform Complaint and Citation
- List three reasons for conducting traffic patrol
- List three ways to conduct traffic surveillance
- Describe three reasons for traffic screening
- List four traffic law enforcement actions

CONCEPTS AND GENERAL PROCEDURES

Traffic Law Enforcement and Accident Reduction

Enforcement Index (EI). The Enforcement Index (EI) is a statistic that reflects the effectiveness of a traffic law enforcement program in reducing accidents. The EI is determined using the following formula:

$$EI = \frac{\text{Number of convictions with penalties for hazardous offenses}}{\text{Number of fatal and personal injury accidents}}$$

The number of convictions with penalties and the number of fatal and personal injury accidents that are used for the calculation of the EI must have occurred within the same time period.

The ideal Enforcement Index for a jurisdiction represents the balance point between increasing enforcement actions with no applicable reduction in the accident rate and decreasing enforcement actions that permit a continued increase in accidents.

Though the most effective EI for a jurisdiction must be individually determined, generally an EI of 20 is satisfactory. This means that for each accident involving a personal or fatal injury there will be 20 convictions for hazardous violations, in general. Theoretically, one could expect a higher actual enforcement ratio than 20:1 as the

result of charges that are dismissed or continued, and drivers who fail to appear in court. In fact, it may be necessary to achieve an EI of 30 or more in some jurisdictions before the frequency of accidents begins to show a substantial decline. Moreover, the effectiveness of the EI in use must be reassessed periodically.

In summary, the Enforcement Index is based upon the fact that as the conviction rate for hazardous offenses increases, the accident rate will decrease. The effectiveness of the EI as a traffic law enforcement measure should be evaluated periodically. However, such an evaluation requires that the EI be used on a regular basis to set up selective enforcement programs.

Selective enforcement. Selective enforcement is defined as traffic law enforcement efforts directed toward the time and place of high traffic accident frequency, with particular concern for enforcing violations that contribute to accidents. When patrol and stationary observation efforts are focused in high accident areas, emphasis should be given to deterring and/or detecting violations commonly associated with accidents in that area.

Selective enforcement is an efficiency of operation made necessary by the fact that most law enforcement agencies do not have the resources to enforce all traffic laws at all times and in all places. Accident/violation records are essential to an effective

selective enforcement program. MAARS, the Maryland Automated Accident Reporting System, is a computerized recordkeeping technique used to support selective enforcement as well as for other purposes.

TO CHECK YOUR PROGRESS PLEASE RESPOND TO THE FOLLOWING QUESTIONS.

Directions: Using your response sheet, circle the letter of the correct response for each item below.

1. Select the formula used to determine the Enforcement Index (EI).

a.
$$EI = \frac{\text{Number of fatal and personal injury accidents}}{\text{Number of convictions for hazardous offenses}}$$

b.
$$EI = \frac{\text{Number of convictions with penalties for hazardous offenses}}{\text{Number of fatal traffic accidents}}$$

c.
$$EI = \frac{\text{Number of accidents (personal injury and fatal)}}{\text{Number of convictions for all traffic offenses}}$$

d.
$$EI = \frac{\text{Number of convictions with penalties for hazardous offenses}}{\text{Number of fatal and personal injury accidents}}$$

2. Which one of the following numbers is generally considered to represent a satisfactory Enforcement Index (EI)?

a. 15

b. 20

c. 25

d. 30

3. The traffic law enforcement effort conducted at the times and places of greater accident frequency, with the goal of enforcing violations that contribute to accidents, is defined as:

- a. Traffic screening
- b. Traffic surveillance
- c. Traffic patrol
- d. Selective enforcement

PLEASE CHECK YOUR RESPONSES WITH THE KEY ON PAGE XX - 17 AND REVIEW ANY ITEMS YOU MISSED BEFORE PROCEEDING.

TRAFFIC SURVEILLANCE

Traffic Patrol

- Definition. Traffic patrol is that part of a police officer's activity where he or she drives or walks within a designated geographical area or along a given roadway for the general purpose of traffic surveillance.

- Objectives. The basic objectives of traffic patrol are to:
 - Deter would-be traffic violators (symbolic effect of the police officer's presence)
 - Detect and apprehend traffic law violators as well as criminal offenders
 - Report traffic problems, handle emergencies, and ensure the smooth flow of traffic
 - Report hazardous road conditions which need attention, for example, missing signs, malfunctioning signal lights
 - Render aid and assistance to motorists where necessary

- Types of traffic patrol. The types of traffic patrol that a law enforcement agency may conduct are:
 - Area patrol, that is, patrol in an area or beat, which may include several streets, roads or sections of a highway
 - Line patrol, that is, patrol on a designated route between

two points, usually on a city street or a section of a highway.

Stationary Traffic Observation

In addition to the various forms of patrol, stationary observation is another form of traffic surveillance. It is observation by an officer at a selected place (Maryland state police officer, a county officer, or a municipal officer, either in a police car or on foot at a "traffic post"), usually at a location with a high accident rate or chronic traffic problem, for the purpose of deterring and detecting traffic violations. This procedure includes the monitoring of the speed of passing vehicles with speed-measuring devices (for example, radar, VASCAR, speed gun).

Ways To Conduct Traffic Surveillance

There are three basic approaches to the conduct of traffic surveillance:

- Conspicuous surveillance. The police officer tries to attract attention by remaining in full view of traffic (for example, in a conspicuously marked and/or parked police vehicle).
- Visible surveillance. The police officer is located in full view, but in such a manner as to require careful

attention to be discovered (for example, unmarked or apparently unmarked police vehicle; vehicle parked inconspicuously on a side street).

- Concealed surveillance. The police officer is not visible to persons on the roadway during the course of their normal observation of the roadway scene (for example, radar).

Traffic Screening or Road Checks

A method for detecting unsafe driver and vehicle conditions is the traffic road check. Traffic road checks involve the stopping of vehicles (often a sampling of passing traffic) at a designated position on the roadway by police officers for the purpose of inspecting drivers and/or vehicles, and for detecting possible traffic law violations.

Uniformed officers are empowered by the Maryland motor vehicle laws to check the validity of an operator's license, although any police officer who identifies himself or herself as such may check the validity of vehicle registration or the state of repair of the vehicle. Traffic road checks may or may not involve the use of barriers or an obstruction to the total flow of traffic (for example, road block or blockade).

The specific functions of traffic road checks are to:

- Detect unsafe/faulty equipment;
- Detect a license or registration violation, including such conditions as:
 - Expired date of effectiveness
 - Forged or substituted document
 - Suspended or revoked license
 - License restriction violation (for example, corrective lenses)
- Detect cargo violation of commercial vehicles (weight, size, storage, etc.)
- Detect tax law violations of state lines
- Detect motor vehicle operator driving under the influence of alcohol or drugs. (This should not be an explicit objective, but is incidental to the above functions.)

TO CHECK YOUR PROGRESS

PLEASE ANSWER THE FOLLOWING QUESTIONS.

Directions: Using your response sheet, circle the letter of the correct response for each item below.

4. The term used to describe that part of a police officer's activity where he or she walks within a designated geographical area for the general purpose of surveillance is:

- a. Visible surveillance
- b. Selective enforcement
- c. Traffic patrol
- d. Traffic observation

5. What type of traffic surveillance is being conducted when a police officer remains in full view in a marked police vehicle?

- a. Stationary surveillance
- b. Conspicuous surveillance
- c. Visible surveillance
- d. Nonselective surveillance

Traffic road checks serve specific functions. Circle the letter C on your response sheet to indicate which of the following are traffic road check functions. Circle the letters NC if the items are not traffic road check functions.

6. Detect violations of the speed limit
7. Detect license restriction violations
8. Detect cargo violations of commercial vehicles
9. Detect vehicles with faulty equipment
10. Detect vehicles failing to yield the right of way

PLEASE CHECK YOUR RESPONSES WITH THE KEY ON PAGE XX - 17 AND REVIEW THOSE ITEMS YOU MISSED BEFORE CONTINUING.

TRAFFIC LAW ENFORCEMENT ACTIONS

General Considerations

Indicate that the possible actions that a police officer may take in response to a traffic law violation are four:

- a traffic warning
- a traffic citation
- a traffic arrest
- Safety Equipment Repair Order (SERO)

The course of action taken by a police officer depends upon the severity of the offense and departmental enforcement policy.

Traffic Warnings

A traffic warning is any traffic enforcement action taken that does not involve the possible assessment of legal penalty as a result of the warning alone.

Warnings differ qualitatively from citations, traffic arrests, and Safety Equipment Repair Orders, in that the officer's enforcement actions are concluded when the officer leaves the scene; the warning itself is the penalty. Warnings have more of an educational effect than a disciplinary effect. Traffic warnings may be given to motorists or pedestrians in two ways:

- Written warnings. The violator is given an oral account and a documentary record of the violation observed by the officer. No record, formal or informal, of the issuance of a written warning is kept by any law enforcement agency in Maryland. Violators are not required to acknowledge receipt of a warning by signature.
- Oral or verbal warnings. The violator is given an oral, or verbal, account of the violation observed by the officer. No written record, formal or informal, is kept.

Maryland Uniform Complaint and Citation.

A traffic citation is traffic enforcement action consisting of the issuance of a written uniform complaint and citation that requires a person charged with a traffic violation to submit to trial adjudication to determine guilt or innocence, or in some cases to pay a fine, determined in many instances by the District Court's "Fine List" in lieu of court appearance.

A traffic citation is the most frequently used means by which the traffic violator may be brought before the court without the violator being taken into physical custody. Since citations often involve the inconvenience and distress of a court experience, and usually a fine, they are a more extreme form of law enforcement action than a traffic warning.

Traffic Arrest

A traffic arrest is an action whereby a violator is taken into physical custody and detained until he or she can be brought before the district court to answer the charge of law violation. A traffic arrest is the most extreme form of enforcement action. In most cases, the suspect may leave custody after posting bail with the District Court Commissioner.

The primary objectives of a traffic arrest are to:

- Preclude the possibility of continued violation (such as driving under the influence of alcohol or drugs) and a continuing hazardous traffic situation
- Increase the chances, where doubt may exist, that the violator will appear in court

Safety Equipment Repair Order (SERO)

The Safety Equipment Repair Order is issued for observed violations of state requirements relating to vehicle equipment. Although the SERO is formally a warning, it does require compliance within ten days or vehicle registration will be suspended by the State Motor Vehicle Administration after 30 days. The form used requests acknowledgement of receipt by signature, but signature is not mandatory.

NOTE: Specific guidelines for the selection of one of the four law enforcement actions for certain classes of traffic law violations and violation situations is discussed in Self-Instructional Unit XXVI. Traffic Law Enforcement Procedures, along with specific procedures for conducting traffic surveillance; for issuing warnings, citations, and Safety Equipment Repair Orders; and for making traffic arrests.

TO CHECK YOUR PROGRESS PLEASE ANSWER THE FOLLOWING QUESTIONS.

Directions: Indicate which of the statements below regarding traffic law enforcement actions are correct by circling the letter C on your response sheet. Circle the letters NC if the statement is not correct.

11. A traffic arrest is the most extreme form of enforcement action.
12. A traffic warning, by itself, does not involve the possible assessment of a legal penalty.
13. The traffic arrest is the action most frequently used to bring the traffic violator before the court.
14. The Safety Equipment Repair Order (SERO) requires compliance within ten days.

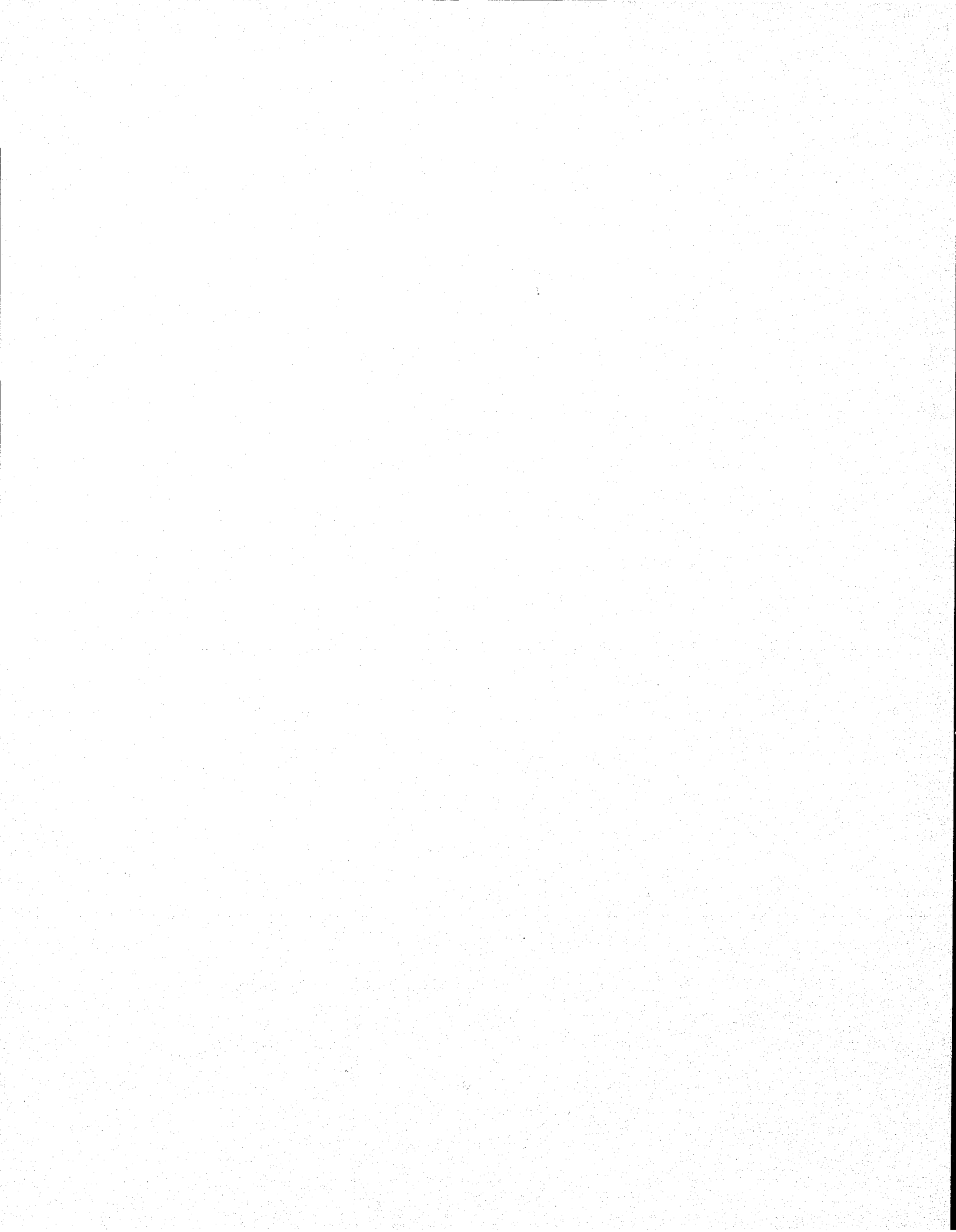
PLEASE CHECK YOUR RESPONSES WITH THE KEY ON PAGE XX - 17. REVIEW THOSE ITEMS YOU MISSED BEFORE TAKING THE POSTTEST.

THIS COMPLETES SELF-INSTRUCTIONAL UNIT XX.

KEY TO EMBEDDED QUESTIONS

Refer to
Page XX -

1.	d.	Number of convictions with penalties for hazardous offenses	
		$EI = \frac{\text{Number of convictions with penalties for hazardous offenses}}{\text{Number of fatal and personal injury accidents}}$	2
2.	b.	20	2
3.	d.	Selective enforcement	3
4.	c.	Traffic patrol	6
5.	b.	Conspicuous surveillance	7
6.	NC		8-9
7.	C		8-9
8.	C		8-9
9.	C		8-9
10.	NC		8-9
11.	C		12-15
12.	C		12-15
13.	NC		12-15
14.	C		12-15



END