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Meets Accreditation Standard:	Chapter 22 - 25

Section 1200.10 Traffic Administration, Enforcement and Investigation

Policy

It is the Policy of the Shively Police Department to establish uniform procedures for the provision of traffic direction and control, traffic engineering, and ancillary traffic services. The department performs a variety of functions such as point traffic control, parking control, school crossing, emergency assistance, motorist assistance, identifies and reports hazards, checks abandoned vehicles, recovers stolen vehicles and provides traffic safety information and recommendations.

The general public relies upon the police for assistance and advice when faced with the many routine and emergency traffic situations, which can and do develop in an urban society. Often there is no other private or public agency available to provide such services. Therefore, the police regularly respond to traffic-related incidents where arrests will probably not be made or where unlawful activity is not involved. Traffic control and ancillary services are functions that the Shively Police Department expects officers to perform diligently and responsibly, mindful of the expectations of the community.

This policy covers procedures for:

- **Traffic Administration**
- **Traffic Law Enforcement**
- **Traffic Services**
- **Collision Investigations**

Traffic Administration

This section addresses the administrative component of providing the traffic function of the Shively Police Department. Traffic Administration is functions of the patrol division of the Shively Police Department.

- **Traffic Records System**

The Shively Police Department maintains a traffic record system that contains information on collision data and traffic law enforcement data.

- *E-CRASH-Collision Report Analysis for Safer Highways.* The Shively Police Department participates in this program by using the data collection, entry and analysis process established by the Kentucky State Police.
- *Traffic law enforcement* The Shively Police Department conducts traffic enforcement on a daily basis and also participates in traffic enforcement grant programs. Local, state and federal agencies may analyze the data collected from these activities.

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- **Traffic Citations**

The Shively Police Department maintains a system for the accountability of all *uniform citations & E-Citations* that are issued to Shively Police Officers.

- Storage of citations- The Dispatch Center will store and stock Uniform Citations. When the supply gets low additional citations may be ordered through the Kentucky State Police Supply Section, on the appropriate forms.
- Accountability of citations- The Dispatch Center will be responsible to maintain a database or method of tracking the issuance of the each citation book. The dispatcher will record the citation serial numbers with the officers' name that the book was issued to.
- Voided citations- Voided citations will be recorded in the database or tracking system.

- **Preparation and Processing of Citation and Arrest Reports**

All citation and arrests reports, as well as other departmental reports shall be properly completed and submitted to the Telecommunications Section for proper filing and records keeping. These reports should be entered into the appropriate "Daily Sheets" before the end of the officers tour of duty. All reports shall be reviewed and initialed by a commanding officer, as prescribed.

- Preparation- All traffic citations, arrest reports and supplemental reports will be prepared in accordance with standard police practices.
- Processing- All traffic citations, arrest reports and supplemental reports will be processed in accordance with standard police practices.

Traffic Law Enforcement

It shall be the policy of the Shively Police Department to prescribe procedures for traffic law enforcement, preventive patrol, proactive enforcement, and relationships with motorists, pedestrian, and the courts. Traffic law enforcement involves all activities or operation which relate to observing, detecting, and preventing traffic law violations and taking appropriate action under the circumstances. Enforcement not only involves arrests and citations, but includes warnings to drivers and pedestrians which help prevent them from committing further minor violations. Traffic enforcement may react to observed violations. However, over zealous enforcement without considering whether the violator is familiar with the legal requirement or without regard for the circumstances surrounding the violation causes disrespect for the law and poor relations between the department and the community. The emphasis of an officer's traffic enforcement is placed on violations that contribute to accidents and that prevent hazards to vehicular and pedestrian traffic.

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Types of Enforcement Actions

Warnings

Officers may issue warnings to a violator whenever a minor traffic infraction is committed in areas where traffic accidents are minimal, or when the act may be due to ignorance of a local ordinance which may be a unique violation or a violation of which the driver may not be aware. A properly administered warning can be more effective than any other type of enforcement. If "Warning Citations" are used they shall be turned in to the Telecommunications section for data processing.

Kentucky Uniform Citation

A citation should be issued to a violator who jeopardizes the safe and efficient flow of vehicular and pedestrian traffic, including hazardous moving violations or operating unsafe and improperly equipped vehicles. Citations shall be turned into the Telecommunications section attached to a properly completed "Citation Memorandum". Citations shall be entered on the "Daily Run Sheet".

Physical Arrests

Officers will make a physical arrest, in compliance with Kentucky Revised Statutes in the following circumstances:

- Violations of traffic laws pertaining to driving under the influence of alcohol or other intoxicants.
- Whenever the officer has reason to believe that the person will not comply with the citation if issued.

Information Regarding Uniform Traffic Citation

The Kentucky Uniform Citation will be completed whenever a motorist is to be charged with a motor vehicle violation. Officers shall advise drivers of the following information:

- Court appearance schedule to contest the violation.
- Whether court appearance by the motorist is mandatory.
- Whether the motorist may be allowed to prepay the fine in lieu of court appearance.
- Any other information necessary before release of the motorist.

Uniform Enforcement Policies for Law Violations

Sworn members of the Shively Police Department should use individual discretion, based upon experience and knowledge of the law, whether to issue a verbal warning, issue a citation, or effect a physical arrest for a misdemeanor offense (traffic or non-traffic) committed in his/her presence (with the exception of shoplifting, domestic violence and abuse or any other enacted or applicable state law).

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Traffic Offenses

The majority of traffic violations may be effectively handled through either verbal warnings for minor infractions or written citations for more serious violations. Traffic citations may be issued only for offenses committed in the officer's presence.

Misdemeanor Offenses

When observing criminal offenses during traffic enforcement or collision investigation, officers shall proceed in compliance with procedures set forth in policy 1000.40 (formerly SOP 990.40) Laws of Arrest.

Contact with Violators

Patrol Units making traffic stops should exercise the utmost in professionalism, personal safety and tactics, and discretion. The objective of a traffic stop should be to take proper and appropriate enforcement action and to favorably alter the violator's future driving behavior.

The following are guidelines for officers to use in stopping, approaching, and communicating with traffic law violators:

Stopping Violator

Before making a traffic stop the officer should maintain a tactical distance between the violator vehicle and the patrol unit. Locate a safe area to make stop, activate emergency equipment, activate siren if needed to signal vehicle.

- Advise dispatcher of the intention to make a traffic stop and give the dispatcher time to copy.
- Advise dipatcher of location of the stop when dispatcher acknowledges.
- Give the vehicle's license tag number and/or other descriptions.
- Officer should be aware of the proper position of the patrol unit behind the violator vehicle to provide safety from oncoming traffic and to provide reaction time to violator
- If at night, the spotlight should be positioned to adequately illuminate the occupants of the subject vehicle.
- If situation presents a possible hazardous stop, request a backup unit to assist.
- When making stops in hazardous locations such as; congested areas, express ramps or lanes, etc., officers should be prepared to communicate instructions to violators to move to a safer location.

Approaching Violators

When leaving patrol vehicle the officer shall remain on constant alert for any sudden or suspicious movement from occupants of the vehicle.

- Officers shall approach the violator from the rear drivers side in most situations, but

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may consider alternative tactics as situation dictates.

- Night time conditions present different consideration during a approach to a traffic stop; Use of flashlight, use of spot light, use of low or high beams, use of back up, number of occupants, etc.

Communicating with Violators

The officer shall greet the violator courteously with an appropriate title and inform the violator of the reasons for the stop or what violation was observed.

- Ask for the violator's driver license, insurance verification and vehicle registration, and accept only these forms.
- Conduct additional reasonable investigation as necessary to verify license status, vehicle ownership, secondary violations.
- Allow violator to discuss violation. Do not argue, berate, belittle, or otherwise orally abuse the violator.
- Complete the necessary forms required for the enforcement action or exercise an oral warning or education, if appropriate.
- Explain to the violator exactly what he/she is supposed to do in response to the action taken.
- Be prepared to repeat instructions if needed. Return violator's license, and other documentation.
- Return to the patrol unit and assist the violator to safely re-enter the traffic flow. The officer should always allow the violator to leave first.

Speed Enforcement

Excessive speeds are a major factor in the cause of motor vehicle collisions. In that, officers of the Shively Police Department may be required to enforce those laws that apply to speed enforcement.

Pacing

If the officer is using pacing as a method to enforce speeding laws, it should be used only for cause to stop. The officer shall follow the vehicle being paced at constant interval for a distance adequate, normally two or more city blocks, to obtain a speedometer reading. Speedometers must be properly calibrated. Pacing is not the recommended approach for proper speed enforcement. In that, officers shall be properly educated on the proper techniques for alternative speed enforcement. However, the recommended speed enforcement technique is the use of Radar.

Radar

Radar shall be used by the Shively Police Department in compliance with the manufacturer's instructions and all department radar units must meet current NHTSA standards. Only properly trained and certified personnel may be assigned or operate radar and only departmental owned radar units will be allowed to be used in the course of speed enforcement.

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- Radar units must be properly installed in police vehicle.
- Operator must have thorough knowledge of radar techniques and only operate radar in accordance with certification principles.
- Operator must choose appropriate locations in accordance with the directions of commanding officer or purposeful enforcement objective.
- Radar units shall be properly calibrated to insure accuracy in checking speed, unless the radar unit is equipped with a self test function. In the case of a self testing unit, the radar will be considered calibrated as long as no errors were detected during the self test. Operator must follow manufacture's specification without exception. Any problems, malfunctions or pending expiration of unit calibration certificate shall be promptly reported to the office of the Chief of Police.
- Calibration Certificates should be kept with radar operator in case this information is needed in court. A copy shall be maintained by the Department for record keeping.
- The Chief of Police or his designee is responsible for the proper care, upkeep, maintenance, and calibration of radar units.

Traffic Services

The Shively Police Department shall provide a number of traffic services that assist the motoring public to safely use the roadways and highways in and around the city.

High Visibility Clothing

During periods of reduced visibility or darkness on roadways, officers shall wear a reflective safety vest while working:

- Collisions
- Road hazards
- Traffic control
- Crime Scenes
- Fire Scenes
- Roadblocks
- Etc.

Flares, traffic cones or other approved reflective devices should be used to create an illuminated warning pattern to alert others.

Manual Traffic Control

When officers are directing traffic, they should know and use standardized, appropriate gestures and audible signals to stop, start, and turn traffic. To indicate that the officer is present for the purpose of directing traffic, officers should:

- Turn the signal light (if there is one) to blink or flashing.

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- Stay in a position to be seen clearly by all, which is usually in the center of the intersection or street and wear a reflective, safety vest.
- Keep hands and arms at side, except when gesturing.

Stopping Oncoming Traffic

To stop traffic, the officer should first extend arm and index finger toward and make eye contact with the person to be stopped. Officer can make an appropriate gesture that most drivers should be aware of.

The pointing hand is raised at the wrist so that its palm is toward the person to be stopped and the palm is held in this position until the person is observed to stop. To stop traffic from both directions on a two-way street, the procedures are then repeated for traffic coming from the other direction while continuing to maintain the raised arm and palm toward the traffic previously stopped.

How to Start Traffic

The officer should first stand with shoulder and side toward the traffic to be started, extend arm and index finger toward and make eye contact with the person to be started until the person is aware, of the officer's gesture.

With the palm up, the pointing arm is swung from the elbow, through a vertical semicircular motion until the hand is adjacent to the chin. If necessary, this gesture is repeated until traffic begins to move. To start traffic from both directions on a two-way street, the procedure is then repeated for traffic coming from the other direction. To continue traffic flow, continue semicircular motion frequently in the desired direction.

Signaling Aids

The whistle is used to get the attention of the driver and pedestrians. It is used as follows:

- To STOP: One long whistle blast.
- To GO: Two short whistle blasts.
- Several short whistle blasts are used to get the attention of a driver or a pedestrian who does not respond to a given signal.

The voice is seldom used in directing traffic. Arm gestures and the whistle are usually sufficient. Oral orders are not easy to give or understand and often lead to misinterpretations, which could be dangerous. An order, which is shouted, can antagonize the motorist.

Occasionally, a driver or a pedestrian will not understand the officer's directions. When this happens the officer should move reasonably close to the person and politely and briefly explain the directions.

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Use of flashlight with illuminated cone or baton

To stop a driver with the baton, the officer should face the oncoming traffic, hold the baton in one hand, bend the elbow, hold the baton vertically, then swing the baton from back and forth indicating the direction you want the traffic to move.

During low visibility gestures should be exaggerated to be more noticeable to drivers.

A flashlight alone can also be used to halt traffic, but less effectively and safely than with the cone attachment. To stop traffic, slowly swing the beam of the light across the path of oncoming traffic. The beam from the flashlight strikes the pavement as an elongated spot of light. After the driver has stopped, arm signals may be given in the usual manner, with vehicle's headlight providing illumination.

Manual Operation of Traffic Control Devices

On occasion, officers must manually operate traffic control signal lights, normally to either attempt to recycle a signal light or to place the signal lights on flash or blink. Officers shall manually control traffic control devices only in the following situations:

- When traffic lights malfunction.
- To facilitate movement at traffic collisions or other emergencies.
- To provide a thoroughfare for a motorcade or funeral procession.
- To alleviate congestion resulting from use of automatic controls particularly during planned, special events.

Special Event Traffic Control

For any other special event, the Chief of police will ensure the preparation/implementation of the special traffic plan, which addresses:

- Ingress and egress of vehicles and pedestrians.
- Provisions for parking.
- Spectator control.
- Public transportation.
- Assignment of point control duties and reliefs.
- Alternate traffic routing.
- Temporary traffic controls and parking prohibitions.
- Emergency vehicle accesses.
- Appropriate media releases of such plans

Roadblocks

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Circumstances that warrant the use of Sobriety or Traffic Safety roadblocks are limited to those that are at the supervision or implementation of a task force or program sponsored by the National Highway and Traffic Safety Administration or the Kentucky State Police. Implementation and administration of a roadblock shall be at the guide of the program administrator.

Traffic Control at Fire Scenes

Officers responding to the scene of a fire call will ensure observance of the following rules regarding traffic control:

- No vehicles, including those of volunteer firemen, will be allowed to drive into the block where fire apparatus is parked and operating,
- No vehicles will be allowed to cross fire hoses without the approval of the fire Chief or appropriate authority.
- In cases of fires at a facility, no unauthorized vehicles will be allowed on the grounds.
- The exception to the rules above will be lifesaving vehicles on actual calls for services.
- Vehicles, which are parked and interfere with fire operations may be towed as needed.

Traffic Control during Adverse Road or Weather Conditions

The Chief of Police or designee will notify the local radio stations, public works and the fire department of adverse road conditions that will effect the motoring public.

The Chief of Police may close a street if, in his opinion, the surface conditions and terrain are unusually hazardous. The Chief of Police may request public works or other appropriate agency in assistance in alleviating the problem. Additionally, requests for public service radio announcements should be made concerning the closure.

The Chief of Police shall request dispatchers to notify the proper utility company and assign officers to direct traffic and safeguard movement at the scene of all downed power lines, broken gas and water mains or at construction sites, while the situation endangers the safe movement of traffic.

Stranded Motorists

The Shively Police Department will offer services to the public which are not enforcement in nature but are services that are designed to help the law abiding motoring community.

Stranded or disabled motorists

- Officers will provide reasonable assistance to motorists. This may include requesting the dispatcher to call wreckers or obtaining other services as needed. Time and duty permitting, the officers may assist stranded and disabled motorists to obtain fuel and repairs, but officers are not required to perform the repairs personally.
- Under normal circumstances, police vehicles shall not be used to jump-start or push non-governmental vehicles.

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- Officers shall be aware of possible dangers to motorists who are stranded in isolated areas or hazardous locations on the highway and shall take steps to reduce these threats by transporting motorists to safer locations or setting out safety devices to warn others motorists.
- If the officer must leave the scene before the arrival of requested assistance, the officer shall request that another unit check on the persons and provide assistance or protection.
- Officers should be familiar with the area and be able to provide directions to various locations within the city and county.

Abandoned Vehicles

Officers shall take notice of vehicles that have been stranded or abandoned upon roadways, highways or streets. Officers should consult the Kentucky Revised Statutes in regards to these observations and take appropriate actions.

When an officers finds a violation of K.R.S 189.450; K.R.S. 189.75 1; K.R.S. 189.753 or any other applicable law, the officer shall properly complete and affix an official "VEHICLE CHECK" to a conspicuous glass area on the vehicle in violation.

Other units shall check these "marked" vehicles and cause these vehicles to be removed if appropriate.

Highway Emergencies

Officers arriving upon the scene of any highway emergency shall request the dispatcher to obtain necessary services and to provide emergency first aid, fire suppression and obtain additional assistance as the situation requires, pending arrival of appropriate emergency services. Officer safety shall be considered.

Reporting Road Hazards and Debris

An officer locating hazardous debris in the roadway shall remove it or request the dispatcher to notify public works to have it removed from the road to a safe or location.

Officers shall report all highway and traffic control defects to the dispatcher and, in turn, dispatchers will contact the department of public works as soon as the situation dictates. This will normally be done by the use of the telephone.

Requests or suggestions of additional or new highway safety features will be forwarded through the chain of command to the chief of police who will forward the request to the appropriate department or agency, if the situation warrants it. These requests will specify the services or actions requested and location.

Escorts

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The Shively Police Department may provide emergency and non-emergency escorts as needed. The fundamental service of providing escorts is to maintain a smooth and safe traffic flow in and through the City of Shively.

- Personnel may provide funeral escorts in and through the City of Shively when needed.
- Funeral escorts may be requested through the Chiefs office and arranged with the platoon commanders.
- Officers participating in funeral details shall conduct procession with due regard for the safety of all persons.
- The officer in charge of the detail shall be responsible for all pertinent information concerning the funeral destination, times, etc.
- Special escorts may be conducted at the discretion of the on duty-commanding officer.

Collision Investigation

It shall be the policy of the Shively Police Department to establish guidelines for the proper handling of traffic collisions. It shall be a function of all patrol members to investigate and make report of collisions that occur in Shively, Kentucky and in some case collisions that occur outside of Shively, Kentucky. The collection and use of collision data will help in the planning of strategies to reduce automobile collisions resulting in property damage, injury or death.

A primary objective of the department is to reduce the number of motor vehicle collisions. To accomplish this, the Shively Police Department will study data collected from collision reports and make recommendations for enforcement needs or changes in traffic engineering. However, the first priority is the proper investigation procedures and service to the public.

Tasks and procedures performed

The patrol division performs a variety of tasks associated with investigating motor vehicle collisions. From collecting information at collision scenes to submitting the final report, officers are required to turn in thorough, accurate and objective reports. Some of these tasks that are performed:

- Providing emergency service to the injured
- Protecting the scene
- Conducting the investigation and follow-up
- Preparing collision reports
- Taking proper enforcement actions.

Officer to Determine Fault

Officers are required to determine fault in a collision and base their opinion on the factual results of the investigation. Officers use firsthand witness statements, statements from involved parties and all available evidence. If the officer discovers conflicting statements or can not

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reasonably determine who was the primary at fault unit, the officer should state in the narrative reasons why fault could not be determined.

Collision Report and Investigation

Sworn members of this department shall investigate, report and take enforcement action on traffic collisions as prescribed by law. Procedures in this policy are guidelines to assist in complying with Kentucky Revised Statutes concerning the reporting of traffic collisions.

Each investigator should utilize the *Uniform Police Traffic Collision Manual* for assistance in finding further information on completing reports.

Uses of Report

Collision reports are used by the Department of Transportation, the Kentucky State Police and by local agencies to study the frequency of crashes at a given location and time, the causes and road conditions at the time. The reports are also used to develop selective enforcement programs, engineering studies, and to promote street and highway safety.

In general, the Shively Police Department shall investigate collisions involving any of the following:

- Death or injury
- Property damage in excess of \$500.00
- Hit and run
- Impairment due to alcohol and or drugs
- Collisions involving hazardous materials
- Any collision involving city property; vehicles, equipment or facilities

Collision Scene Responsibilities

The first officer on the scene shall be the primary investigator, unless otherwise ordered by the supervisor and shall be responsible for:

- Determining if any person is injured and providing for the care of any persons.
- Summoning additional help as required (officers, rescue, towing service, etc.).
- Protecting the collision scene.
- Preserving short-lived evidence (broken parts, skid marks, etc.).
- Establishing a safe traffic pattern around the scene.
- Locating witnesses and recording key accident information (license numbers, observation of damage before vehicles are moved, etc.).
- Expediting removal of vehicles from roadway.
- Removing debris from roadway.

Secondary Police Units at Collision Scenes

The investigator of the collision shall have the responsibility and authority to request assistance

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from other officers as needed. When additional units arrive at a collision site their primary task is to assist the investigating officer to fulfill all Accident Scene Responsibilities.

Information Collection

At the scene of a collision, the investigator must gather all the required information for subsequent use in completing the necessary report forms. Information to be collected at the scene may include, but not limited to:

- Interviewing persons involved such as witnesses.
- Securing identity/address of operators, witnesses, etc.
- Examining/recording vehicle damage.
- Examining/recording effects of the collision on the roadway or off the roadway.
- Examining/recording damage to other property/structures, etc.
- Taking measurements as appropriate.
- Taking photographs as appropriate.
- Collecting/processing evidence.
- Exchanging information among principals involved.

Type of response to a collision

When responding to a collision scene officers shall use due regard for safety of the public and use all necessary equipment to make the scene of the collision as safe as possible while working it. There are two basic responses officers may use when being dispatched to a collision.

Code 1 Response

If **No** injuries are reported, the officer shall proceed without lights and siren to the collision location by using the shortest route available.

Code 3 Response

If injuries are reported the response may be with lights and siren.

Upon arrival:

- The police vehicle **shall not** park at the scene in a manner that will endanger other pedestrians, motorists or citizens.
- The officer should consider using the police vehicle as a shield to protect the scene as much as possible.
- The officer shall activate and leave vehicle emergency equipment on for as long as necessary to warn the public of hazards.
- If officer finds there are injuries involved, EMS shall be notified to respond.

Towing of Vehicles

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The Shively Police Department will impound vehicles only when necessary and in compliance with the Kentucky Revised Statutes and related case law.

- When a vehicle is blocking the road or creating a hazard the officer should utilize dispatch to locate the owner of the vehicle through phoning or other method.
- The officer should call for assistance to check nearby places that the operator could be waiting for assistance.
- The officer shall complete a "VEHICLE IMPOUNDING RECORD" and shall issue the bottom copy to the wrecker driver. The remaining copies shall be submitted to the telecommunications section, before the end of your shift.

Owner/Operator Requested Tow

The owner or operator of a damaged vehicle may request the Shively police department to remove a vehicle. If so, the officer should contact the dispatch center to dispatch the next available towing service. The dispatcher should inform the wrecker service that the tow was requested by the owner/operator of the vehicle in question. This tow will be at the cost of the owner/operator.

Police Requested Tow

A vehicle that is damaged to the extent that it is rendered unsafe to operate upon the roadway may be removed at an officer's order. A damaged vehicle may also be removed at an officer's order if it is impeding the flow of traffic, retained as evidence or is a danger to the public. The officer should contact the dispatch center to dispatch the next available towing service. The dispatcher should inform the wrecker service that the police requested the tow.

Vehicle Impound Records

Vehicle Impound Records (Tow slips) must be completed for ALL towed vehicles. The officer must completely fill out the tow slip. The back copy (hard card) of the tow slip must be given to the driver of the wrecker service before leaving the collision scene. The white and yellow copies of tow slips must be turned into the dispatch center before the officer leaves his/her tour of duty for the day.

Vehicles Placed on Hold

When an officer places a vehicle on hold, he/she must indicate the reason for the hold on the Vehicle Impound Record (tow slip). If a vehicle is being held for forfeiture, officers must follow the forfeiture procedure as set forth in policy 1000.170. It is the officer's responsibility to make a photocopy of the tow slip for any vehicle placed on hold and immediately forward that copy to the person designated to oversee the vehicle holds. Copies of all documents pertaining to the forfeiture shall also be forwarded to the person designated to oversee vehicle holds. That person will be responsible for verifying lien information and vehicle value. If circumstances dictate, that person is authorized to release a hold placed on a vehicle strictly for the purposes of forfeiture.

Release of Hold Vehicles

When an officer has placed a hold on any vehicle, he/she is responsible for notifying the registered owner that the hold has been released. The Vehicle Impound Record (tow slip) must

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be updated to indicate that the hold has been released. The Vehicle Impound Record (tow slip) must be updated to indicate the date that the owner was notified and whether they were notified by phone or mail. When possible, the officer should make telephone notifications on the recorded line in the dispatch center. A copy of the release will also be faxed to the Tow Company by the person releasing the vehicle hold. Notification to the Tow Company must be documented on the Vehicle Impound Record.

Tow Company Fees

No officer of the Shively Police Department shall make statements to the owner of any vehicle regarding the fees due to the towing company for their services. If an owner requests an **ESTIMATE** for tow services, the officer shall request an **ESTIMATE** from the tow company through the dispatch center. Under no circumstances should an officer make statements of give estimates regarding fees for any vehicle that has been placed on hold.

Enforcement Actions

During investigation of collisions, officers often discover violations of the law. No matter how germane a violation may be officers should vigorously enforce all violations. Some laws in particular shall be cited when discovered at a collision site. Some of those laws are:

- No operators license
- No Insurance
- No Registration

Handling hazardous materials at collision scenes

If responding police units arrive on the scene of a collision or any scene that hazardous materials may be involved the responding units should notify the Shively Fire Department to respond. The fire department shall be called to the scene when there is:

- Any danger of fire from leaking or ruptured tanks.
- hazardous materials being transported aboard one or more vehicles involved in a motor vehicle collision.

Routine Mitigation

The fire department may be called out for a routine wash off or mitigation of:

- Leakage of coolant
- Leakage of oil or fuel
- Leakage of other chemical mixtures from vehicles.

Emergency Response Guide

All police units shall be equipped with a copy of the *Emergency Response Guidebook*, which permits rapid identification of Department Of Transportation (DOT) hazardous materials

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placards.

Arriving on the scene of a leakage or spill

Any officers arriving in the area of a hazardous material spill or collision and discovering a leakage shall retreat to a safe distance and report the placard number to dispatch. Once the chemical has been identified the recommended distance of safety shall be established and maintained.

The Fire Department shall be called out to take over the scene. ***The Unusual Occurrence/Disaster policy (Section 900.170)*** will be implemented for the duration of the incident. Officers will provide support as required.

Any investigation or follow-up of the collision will resume upon approval of the Chief of Police and after consulting with the Fire Chief.

Handling of property at high risk scenes

Any property belonging to collision victims, who cannot be handled by other services, will be protected from theft or pilferage. If victims are not present, the property shall be brought to the police station and properly handled according to property/evidence procedures.

Collection of exposed or contaminated items should be avoided, without proper HazMat supervision.

Enforcement actions at high risk scenes

If any criminal actions are to be taken as a result of a collision, the officer shall refer charges or make arrests as appropriate. Supervisors are to be consulted if the need for follow-up investigation or collection of evidence is needed.

Investigation Follow-up Activities for Serious or Fatal Collisions

Follow-up activities that may be necessary following serious or fatal collision investigations include:

- Collecting and processing scene data.
- Obtaining/recording additional statements from witnesses.
- Reconstruction or assisting in the reconstruction of the accident.
- Submitting evidence materials for laboratory examination.
- Preparing collision or offense reports to support any charges arising from the collision.
- Consulting expert witnesses or receiving technical assistance from photographers, surveyors, mechanics, physicians, accident crash teams specialists, or other resources of interests.

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Use of Certified Crash Investigator

PURPOSE:

To establish a baseline investigative procedure for investigating serious or fatal motor vehicle traffic crashes when Shively Police Crash Investigator is activated.

PROCEDURE:

In order to establish a standard completion of an investigation, the following must be adhered to where applicable. This should not prevent Shively Police Crash Investigator from investigating issues not listed in the guideline / procedure. The initial E-Crash report shall be completed by the lead officer.

1. Obtain information on what occurred, persons and vehicles involved
 - a. Obtain brief statements from involved parties and/or brief preliminary investigation information from original scene officers.

2. Have Shively Police Lead Officer obtain blood and urine samples at hospital / Louisville Metro Corrections.
 - A. There are four (4) ways of getting blood alcohol admitted into court: written consent, implied consent, search warrant and medical records.
 - I. Written Consent: A waiver form signed and witnessed. If verbal permission is given but unable to sign, indicate the reason on the consent form and obtain a witness signature.
 - II. Implied Consent: KRS 186.565 When a suspect is unconscious and unable to give either written, verbal or a gesture to consent indicates implied consent on the waiver and obtains a witness's signature.
 - III. Search Warrant: A search warrant may be obtained for blood evidence only for serious felony related charges. For assistance contact a Comm. Attorney.
 - IV. Medical Records: May be obtained by subpoena which requires assistance from the Commonwealth Attorney. They may also be subpoenaed to court following the issuance of a citation, if known for sure blood was taken by the hospital for medical purposes.
 - B. Criminal Investigation for DUI related charges will be in accordance to KRS Chapter 189.
 - I. Persons who are not under arrest and consent to a blood / breath test must be taken to the Louisville Metro Correction BA Lab.

3. Walk-through of scene

4. Field sketch of scene

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5. Photography

A. Roadway photography

I. A photo series should be completed of the entire scene, from all directions and angles.

II. Photographs approaching the scene while walking north towards south

III. Photographs approaching the scene while walking south towards north

IV. Photographs approaching the scene while walking east towards west

V. Photographs approaching the scene while walking west towards east

VI. Aerial photographs should be obtained whenever possible

VII. Additional vehicle approach photographs should be taken, in addition to other photographs

VIII. Photographs of the evidence should be taken and focused upon

6. A three-series photograph approach should be used whenever practical

7. Photographs using a ruler or scale (e.g., stadia rod) can be used when appropriate

A. Vehicle photography

I. Each vehicle should be photographed in detail

II. A minimum of sixteen vehicle photographs should be taken

B. Basic: Front, Left, Right, Rear

C. Angles: Front/Right, Rear/Right, Rear/Left, Front/Left

D. Body Line: Two to four photographs down each of the body sides

i. Aerial photographs should be obtained whenever possible

ii. Damage photographs should be taken in detail

8. A three-series photograph approach should be used whenever practical

A. Vehicle identification photographs should be taken

9. VIN Plate, door stickers, registration, etc.

A. Interior photographs should be taken

I. Basic: Into the vehicle from each door and hatch

II. Additional photographs of instrument panel and ignition

III. Evidence recovery areas and body impact points

IV. Vehicular evidence, such as seat belt loading, etc.

V. Photographs using a ruler or scale (e.g., stadia rod) can be used when appropriate

10. Videography

A. A video walk-through of the entire scene from all applicable directions, should be completed

B. A video of each vehicle, respective damage and interiors should be completed

C. A video of traffic signal timing should be completed from all directions

D. A video of traffic control devices should be completed, including items such as: signs, lane markings and entire lengths of construction areas if the crash occurred within such a zone

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11. Evidence Marking

- A. After initial photography has been completed, whenever possible, all evidence shall be marked using an alpha-numeric coding series
- B. The alpha-numeric coding should be coordinated with the technician performing scene measurements for consistency.
- C. Evidence may be marked with fluorescent paint, chalk, flags, versa-cons, etc.

12. Additional Photography

- A. A second set of photographs should be taken after all evidence is identified and marked
- B. If the crash scene is not well lit, or during poor weather, an additional set of photographs should be taken during daytime hours

13. Complete Shively Police Crash Vehicle Inspection Form for each vehicle using the appropriate document

14. Direct the Shively Police lead officer and coordinate to collect case specific evidence

15. Forensically measure the crash scene

16. Establish speed calculations from mathematical formulae based on the: Traffic Institute, North Western University & Friction Applications in Accident Reconstruction SAE 830612 and Traffic Crash Investigators' Manual: A Level 1 and 2 Reference, Training and Investigation Manual - R. W. Rivers.

17. Document the roadway conditions and environmental conditions including: weather, temperature, natural or artificial lighting, surface type(s), traffic control signals, signs, etc.

18. Conduct follow-up investigation as outlined in SPD Crash Investigation Follow-up duties.

Any expert assistance that may produce a cost to the City shall be requested through the Chief of Police in advance.

Collision Reports

In the case of motor vehicle collision that is investigated by the police, information shall be obtained from all parties involved and recorded. The information shall be entered into the **Collision Report Analysis for Safer Highways (CRASH)**. The primary means of completing a report for submission to the Kentucky State Police will be through the use of **Electronic CRASH collision reporting system (ECRASH)**. All officers shall receive proper training on the use of the computer program.

10 Days to file completed report

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The CRASH report is to be forwarded to the Kentucky State Police Records Section within 10 days of the completion of the investigation.

Obtaining copies of completed reports

The Shively Police Department will maintain a system of report retrieval from the Kentucky State Police Records Section once a report has been accepted. Using the Kentucky State Police Web site is the primary way to retrieve an Accepted report. Only trained personnel will be able to access the secured files.

Only authorized persons may obtain a report

Kentucky Revised Statute allows certain persons or organization copies of reports. The Shively Police shall follow the restrictions. Below is a list of persons that will be granted a copy of a Collision Report?

- Other police agencies for official business purposes
- Parties to the collision: operators, passenger, owners of vehicles, etc.
- Parents or guardians of minors involved in the collision.
- Insurance Company of any party to the collision.
- Attorneys of any party to the collision.

News media access to the reports

State law does allow news media organizations access to collision reports solely for the purpose of publishing or broadcasting the news. When there is a doubt as to the legitimacy of a news media organization the report should be withheld until proper identification can be made.

All personnel are required to confer with the office of the Chief of Police before releasing collision reports to the news media.

Private Property Accident Investigations

Collisions, which occur on private property, may be handled by issuing a Civilian Traffic Collision Report (KSP Form-232) to each operator. Officers are required to inform each operator on how to complete and submit the "state form".

Exemptions to issuing state forms

Officers of the Shively Police Department shall investigate all collisions on private property and complete a CRASH report when a motor vehicle collision results in:

- Fatal or non fatal personal injury to any person
- Damage to any vehicle rendering that vehicle inoperable
- Hit and run or leaving the scene of an accident
- Collision involving alcohol or impairing substances

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- Involvement of any City owned vehicle.

When in doubt, officers shall notify the on duty-commanding officer when there is a private property collision under unusual circumstances. The Commanding officer will be responsible for the decision to take a report. The "rule of thumb" is, If you are in doubt take a report.

Civilian Report Forms issued under extreme weather conditions

When a collision only involves property damage a "state form" may be issued during periods of extreme inclement weather. In these cases, only a supervisor can authorize a period where officers do not investigate and file CRASH reports, but instead issue "state forms". "State forms" will only be issued for a temporary period of time and is intended to manage an abnormal increase in collisions due to inclement weather such as a snow or ice storm.

Procedure

When a person calls for a report that only involves property damage the dispatcher should dispatch an officer to the scene. Upon arrival on the scene the officer should:

- Assist persons with any hazardous situations.
- Issue the "civilian collision report" form 232.
- Instruct the involved persons on how to complete and submit the form.
- Facilitate the safe transition back to normal flow of traffic for the involved persons.
- Provide miscellaneous services as needed.

If the weather is so bad that dispatching an officer is not practical or all officers are on multiple runs the dispatchers should:

- Advise the parties involved to exchange operator information and insurance information.
- Advise the parties of the police department address and issue them the "civilian collision report" Form 232 (STATE FORM) upon arrival.
- Advise parties that they should send the completed forms to the Kentucky State Police within ten days of the accident.
- If the parties insist on waiting for an officer to clear and proceed to the collision site, advise them that an officer will be dispatched as soon as one is available.