





## **POLICIES AND PROCEDURES MANUAL**

	<b>TRAFFIC ENFORCEMENT</b>	
	<b>POLICY NUMBER: 61-1</b>	ISSUING AUTHORITY 
	<b>EFFECTIVE DATE: January 1, 2025</b>	Christine A. Elow Police Commissioner

### **I. GENERAL CONSIDERATIONS AND GUIDELINES**

Traffic policy governs the processes and procedures that enable the department to execute its traffic safety-related responsibilities and services. Support activities include data collection and analysis, development of effective education and enforcement strategies, program planning, personnel allocation and utilization, and program evaluation. Policy also governs relationships with motorists, cyclists, pedestrians, the courts, and prosecutors.

Activities that directly affect the movement and control of vehicles, bicycles, and pedestrians include traffic control, traffic engineering, school crossing supervision, and other activities related to the design and implementation of plans and programs that expedite the movement of vehicles, bicycles, and pedestrians.

In addition, the department performs a variety of diverse traffic-related services, such as providing general and emergency assistance, public information, traffic direction, identifying and reporting roadway and roadside hazards, checking abandoned vehicles, providing escorts, and locating and recovering stolen vehicles.

Cambridge is a vibrant city where the safe movement of community members, as well as workers and visitors, throughout its complex network of roadways plays a significant role in daily life. The police department is committed to contributing all it can in this regard.

### **II. POLICY**

It is the policy of the Cambridge Police Department to:

- A. use traffic enforcement strategies to gain voluntary compliance with laws and encourage safe behavior by motorists, cyclists, and pedestrians who use the roadways and travel lanes in the city;
- B. use data-driven methods to inform deployment decisions in an effort to reduce traffic collisions, fatalities, and injuries;
- C. conduct motor vehicle stops in a fair and impartial manner; and

- D. develop partnerships with other City departments and community organizations to find methods and strategies for improving traffic safety.

### III. DEFINITIONS

- A. *Vision Zero*: Vision Zero is a strategy to eliminate all traffic crashes resulting in fatalities or severe injuries, while increasing safe, healthy, equitable mobility for all. Vision Zero focuses on reducing speeds to meet the goal of zero fatalities and severe injuries and creating the collaborative framework needed to meet this goal.
- B. *M.G.L. c.90. §1*: The chapter of Massachusetts General Laws that provides the authority of state, local, and transit police officers to stop motor vehicles.

### IV. PROCEDURES

- A. 61.1.1 (M) Selective Enforcement Activities
  - 1. The department's selective traffic enforcement activities shall include procedures for the following.
    - a. A compilation and review of traffic collision/crash data.
      - (1) The Crime Analysis Unit compiles collision/crash data and conducts an analysis of crash calls for service, crash calls for service with EMS transport, and crash reports by road user type. Crash type includes motor vehicle/motor vehicle, motor vehicle/pedestrian, and motor vehicle/bicycle.
        - (i) This information and other traffic enforcement-related is available on the City's Open Data Portal and department website's Data Center.
        - (ii) The department proactively monitors data related to police/citizen interactions for indications of possible racial profiling and racially biased policing.
      - (2) The Crime Analysis Unit also examines traffic fatalities and locations.
      - (3) The data is graphically represented and provided to the Traffic Enforcement Unit.
    - b. A compilation and review of traffic enforcement activities data.
      - (1) The Crime Analysis Unit is responsible for compiling the traffic enforcement data and conducting an analysis of the top ten traffic violation locations, the type of violations, and citation issuance by day of week and time of day.
      - (2) The Crime Analysis Unit examines the proactive traffic environment patrols, also called park and walk or directed patrols.
      - (3) The data is represented graphically and provided to the Traffic Enforcement Unit to use in determining the best and most efficient strategies.

- c. A comparison of collision/crash data and enforcement activities data.
    - (1) Using the data from crashes and enforcement activities, the Unit conducts an analysis of citation issuance and crash data to evaluate whether the department is using resources in alignment with where crashes are occurring.
    - (2) The analysis is geographical and temporal in nature.
  - d. The implementation of selective enforcement techniques and procedures.
    - (1) After reviewing data from the Crime Analysis Unit, the Traffic Unit identifies locations, time of day, and nature of traffic issues, such as crashes and citations, and will assign officer(s) to address the issues.
    - (2) The Traffic Unit also receives information/complaints from citizens by phone, email, SeeClickFix, and social media. The Traffic Unit can then review this information and address issues as appropriate; such Issues include but is not limited to speeding, distracted driving, roadway obstructions, congestion, pedestrian and bicycle safety. Road condition issues are addressed by the Traffic, Parking, and Transportation Department, Traffic Regulations Division of the City.
  - e. The deployment of traffic enforcement personnel.
    - (1) Based on staffing, the Traffic Unit may assign officers to various locations to monitor traffic issues and address them as appropriate.
    - (2) The department has two speed monitoring trailers. The data collection functions of these units provide information that can be used to inform deployment strategies.
  - f. A documented annual review of selective traffic enforcement activities.
    - (1) The commander of the Traffic Unit shall conduct an annual review of traffic enforcement activities and make adjustments and improvements as needed.
- B. 61.1.2 (M) Uniform Enforcement Procedures
- 1. Procedures for taking enforcement action incidental to traffic stops include the following.
    - a. Physical arrest.
      - (1) Officers may affect the physical arrest of any person who commits an arrestable traffic offense. Whenever an arrest results from a motor vehicle violation, a citation must be filled out and the "Arrest" box on the citation checked.
    - b. Citation or notice to appear.
      - (1) A traffic citation may be issued to all violators who jeopardize the safe and efficient flow of vehicular and pedestrian traffic, including but not limited to hazardous moving violations, violations of laws and/or regulations, and operating unsafe and/or improperly equipped vehicles.

- (2) Citations should be issued at the time the violation occurred but may be issued at a later time or date under exigent or statutorily authorized circumstances. M.G.L. c. 90C, § 2.
  - (i) In such cases, the citation may be delivered in hand or by Certified Mail to the address appearing in Registry of Motor Vehicles records. The citation may be mailed if the officer is unable to deliver the citation at the time. (M.G.L. c. 90, § 2.)
  - (ii) A citation may be mailed if it is unsafe for the officer to stop the vehicle at the time of the violation. Any time a citation is mailed the officer should be able to articulate the reason for doing so.
    1. The officer should check the box on the citation that it was mailed and document on the back of the citation the reason for doing so.
    2. Officers should attempt to identify the operator by making a brief stop and verifying identity through the license, or if unable to stop the vehicle, by making note of the operator's physical characteristics.
- (3) A citation may be issued to the operator or the owner of the vehicle. If the operator is not the owner of the vehicle and the officer is issuing a citation to the owner, the box for Agent should be checked.

c. Warnings.

- (1) A warning, either verbal or written, may be issued at the officer's discretion and has no fine or court appearance associated with it. The purpose of a warning is to educate the operator and to promote voluntary compliance in the future.
- (2) A data collection report should be completed for all stops including verbal warnings.

C. 61.1.4 (M) Informing the Violator

1. At the time a motorist is charged with a violation, the department will provide information relative to the specific charge, to include the following.
  - a. Court appearance schedule.
    - (1) The court appearance schedule is set by the court and is not known by the officer at the time the citation is issued.
  - b. Optional or mandatory nature of court appearance by the motorist.
    - (1) For criminal violations, there is a mandatory court appearance. Officers should explain that the motorist may request a show-cause hearing within four days or that the court will make notification of a court date if no action is taken. If the operator does not request a show-cause hearing within four days, they may lose the right to the hearing at the court's discretion.

- c. Notice of whether the motorist is allowed to enter a plea and/or pay the fine by mail or through the registry or court.

- (1) For a civil violation, the motorist has the option of paying the fine by mail or they may request a hearing. The request for a court appearance for a civil violation must be made within 20 days of the issuance of the citation. If a hearing is granted, the operator is not legally bound to attend the hearing; however, failure to appear will result in the operator automatically being found at fault and losing the right to any further appeals.

- d. Other information that must be provided to the motorist prior to release.

- (1) Officers should explain that all options are printed on the back of the citation.

D. 61.1.5 (M) Uniform Enforcement Policies

- 1. Uniform enforcement policies for traffic law violations include the following.

- a. Operation of a vehicle by a driver under the influence of alcohol/drugs.

- (1) (See policy 61-2 Driving Under the Influence of Alcohol or Drugs.)

- b. Operation of a vehicle after driving privileges have been suspended or revoked.

- (1) If an operator's license has been suspended or revoked the following procedures shall apply.

- (i) M.G.L. c. 90, § 23 establishes that if the operator was sent written notice and was *otherwise aware*, it is up to the officer's discretion whether to issue a criminal application or to make an arrest.

- (ii) The operator must immediately stop operating any vehicle and the officer shall not allow the operator to move the vehicle to a parking space or other location. In most cases, the vehicle should be towed.

- (iii) If the operator is also the registered owner of the vehicle, the vehicle shall be towed and the license plate shall be seized.

- (iv) If the operator is not the registered owner, in most cases the vehicle should be towed but the plates are not seized.

- (v) If the operator is not the registered owner, and if the registered owner knowingly allowed the operator to operate the vehicle with a suspended or revoked license, the owner may also be subject to criminal or civil penalties.

- (vi) Officers shall confiscate the driver's license of suspended or revoked operator but not out-of-state operators.

- (vii) Officers should also immediately fax the report and affidavit of an *operating after suspension or revocation* incident to the RMV.

- c. Moving violations.

- (1) Officers observing moving violations have the discretion to issue a warning or a fine.
  - (2) Seat belts are a secondary violation if occupants of the vehicle are 13 years or older; for occupants under 13 years of age, a seat belt violation is a basis for primary enforcement.
- d. Non-moving violations.
- (1) These can include inspection stickers, defective equipment, registration issues such as an expired sticker on the plate.
- e. Public carrier/commercial vehicle violations.
- (1) When encountering these types of vehicles, officers should enforce traffic laws that relate generally to all classes of vehicles, such as speed, turning movements, and traffic control signals.
  - (2) Patrol officers should enforce safety laws specific to these vehicles, such as having an uncovered load, and may enforce non-safety violations as well. Officers trained in commercial vehicle enforcement shall enforce such violations.
- f. Multiple violations.
- (1) Generally, one citation will be issued in the case of related multiple, non-hazardous violations stemming from the same operation. An exception may be when there are too many violations to fit on one citation.
  - (2) For instances where, in the opinion of the officer, multiple violations are intentional, flagrant, or hazardous, officers may charge violators for each violation.
- g. Newly enacted laws and/or regulations.
- (1) Violations of new laws or regulations should be treated on a case-by-case basis depending on the severity and nature of the offense. The department may initiate a program to educate the community to new laws or traffic control devices by issuing verbal or written warnings for a period of time before full enforcement begins.
- h. Violations resulting in a traffic collision/crash.
- (1) (See policy 61-4 Crash Traffic Collision/Crash Investigation.)
- i. Pedestrian and bicycle violations.
- (1) Bicycles: To work toward the department's mission and vision of reaching voluntary compliance on roadways, officers are encouraged to stop and issue verbal or written warnings to bicycle violators and issue fines according to Mass General Law.
    - (i) M.G.L. c. 85, §11B allows for a \$20 fine for all bicycle violations; however, officers should use a RMV Uniform Citation for a cyclist as with any motor vehicle.
  - (2) Pedestrians: The best way to address pedestrian violations is to stop the pedestrian and issue a verbal warning.

## E. 61.1.6 (O) Enforcement Practices

## 1. Traffic enforcement practices include the following.

## a. Visible traffic patrol.

- (1) Area Enforcement: If there is a report of dangerous conditions in a specific area, the department may saturate the area with visible patrols to deter the driving behavior.
- (2) Directed Enforcement: Officers are encouraged to initiate visible directed patrols in their sectors to gain voluntary compliance and a reduction in crashes resulting in property damage and injury.
- (3) Line Enforcement: The Cambridge Police Department does not use line traffic enforcement as a general practice.

## b. Stationary observation, covert and overt.

- (1) This is when an officer takes up a particular post or area, parks the vehicle, and conducts traffic enforcement for a single location.
- (2) The position may be visible or obscured.

## c. Use of unmarked or unconventional vehicles.

- (1) The department may use unmarked vehicles for traffic enforcement as well as spotters in civilian clothes.
- (2) Other unconventional vehicles such as ATVs and Segways, are not used to conduct traffic enforcement.

## d. Use of roadside safety checks.

- (1) The department does not participate in roadside safety checks.

## F. 61.1.7 (M) Stopping/Approaching

## 1. Procedures for motor vehicle stops include the following.

## a. Unknown risk stops.

- (1) Signal the driver to stop using emergency lights, hand signals, siren, or any combination of these methods. Direct the driver to stop in a reasonable location out of the flow of traffic if possible.
- (2) Position the cruiser to the rear in a manner consistent with academy training.
- (3) As soon as practical, officers should notify dispatch of the location, plate number, and the need for backup. Dispatch should query the plate and advise the officer of known risks even if the officer has already queried the plate.
- (4) Approach the vehicle using appropriate tactics.

- (5) Officer responses will depend on the nature of the stop and the subsequent actions of the subject.

b. High-risk stops.

- (1) Notify dispatch of the plate number, location, and number of occupants, if known and request backup prior to initiating the stop if feasible.
- (2) Assess surroundings and select a reasonable place to make the stop, out of the flow of traffic if possible.
- (3) Activate emergency lights.
- (4) Position the cruiser at an angle and distance from the suspect vehicle to provide cover and concealment consistent with academy training.
- (5) Any additional back-up arriving on scene should be positioned in a tactically sound manner.
- (6) The primary contact officer should direct the driver to show their hands, turn off the vehicle ignition, and place the keys on the roof of the vehicle or throw the keys out the window.
- (7) Any further action will depend on the nature of the event, the suspects' actions, and the need to order the occupants out of the vehicle.

G. 61.1.8 (M) Speed-Measuring Devices

1. Speed measuring devices in traffic enforcement shall be used in the following manner.

a. Equipment specifications.

- (1) The department only uses LIDAR units.

b. Operational procedures.

- (1) Find an appropriate location that allows for proper visibility.
- (2) When practicable, the location should not impede the flow of traffic.
- (3) Properly calibrate the unit prior to conducting speed enforcement in accordance with manufacturer's specifications.

c. Proper care and upkeep.

- (1) Officers assigned a LIDAR unit are responsible for ensuring proper working order, to include checking lenses for scratches and other defects, all buttons and triggers are functioning properly, and that batteries are properly charged and stored.

d. Maintenance and calibration records.

- (1) All LIDAR units will be collected once a year by the manufacturer's representative who conducts complete servicing, which includes recalibrating the laser, performing scheduled maintenance, and fixing any reported problems.

- (2) The maintenance records are kept in the Traffic Unit; a copy is provided to the officer for use in any court proceeding.
- e. Operator training and/or certification.
  - (1) Any officer operating a speed measurement device shall be properly trained and certified by the Municipal Police Training Committee or a certified department trainer.
  - (2) All officers receive initial training in the academy by MPTC-certified instructors. In some cases, officers who are not trained in the academy may be trained by MPTC certified instructors in the department.
- H. 61.1.9 (O) Impaired Driver Enforcement Program
  1. The department's enforcement programs against alcohol and drug impaired traffic offenders include the following.
    - a. The department participates in grant programs, such as *Drive Sober or Get Pulled Over*. The department is committed to participate in future programs sponsored by the Office of Highway Safety.
      - (1) The department receives reimbursement from the state for compensation of officers participating in state-sponsored programs.
    - b. Detailed guidance is provided to personnel based on the specific requirements of each grant.
- I. 61.1.10 (M) OUI Procedures
  1. (See policy 61-2 Operating Under the Influence of Alcohol or Drugs.)
- J. 61.1.11 (O) License Reexamination Referrals
  1. Procedures for the identification and referral of drivers for reexamination by licensing authorities are as follows.
    - a. In the event officers encounter a person who they believe is unable to safely operate a motor vehicle, the officers have an obligation to fill out an Immediate Threat Form requesting a hearing, attach a written report, and submit it to the Registry of Motor Vehicles. This form must be signed by an officer and the Commissioner or designee.
    - b. For fatal crashes, the department usually submits an Immediate Threat Form at the request of the Assistant District Attorney assigned to the case.
- K. 61.1.12 (M) Parking Enforcement
  1. Parking enforcement objectives and activities are as follows.
    - a. The police department shares responsibility for parking enforcement with the City's Traffic, Parking, and Transportation Department. Every officer is issued a hand-written ticket book for parking violations.

- b. The city utilizes electronic ticketing for street cleaning; there are two electronic units assigned to the Traffic Unit which are used by officers doing this work.
  - c. Typically, parking tickets written by department officers are issued in response to a complaint from a resident or business that a motor vehicle is illegally parked. Officers are encouraged to proactively address parking issues in their sector, issue tickets, and tow vehicles when necessary.
  - d. Officers should pay particular attention to more serious parking violations, such as obstructing handicapped spots, fire hydrants, and crosswalk violations.
- L. 61.2.1 (M) Crash Scene Reporting and Investigation (See policy 61-4 Traffic Collision/Crash Investigation.)
- M. 61.2.2 (M) Collision/Crash Scene Duties (See policy 61-4 Traffic Collision/Crash Investigation.)
- N. 61.3.1 (O) Traffic Engineering
  - 1. Activities related to traffic engineering include the following.
    - a. Handling or referring complaints or suggestions concerning traffic engineering deficiencies.
      - (1) Officers are encouraged to report issues and deficiencies to the Lieutenant of the Traffic Unit who reports them to the appropriate city or state agency or department.
    - b. Procedures for transmitting collision/crash and enforcement data to appropriate traffic engineering authorities.
      - (1) The department electronically transmits data to the RMV and the City's Open Data Portal.
      - (2) The City's Traffic, Parking, and Transportation Department, the Department of Public Works, and Community Development Department can access the data to support their efforts.
- O. 61.3.2 (M) Direction/Control Procedures
  - 1. Procedures for traffic direction and control include the following.
    - a. Procedures applicable at collision/crash scenes.
      - (1) Officers will respond and evaluate the need for immediate medical care and determine the severity of any injuries.
      - (2) If there are no injuries or only minor injuries, officers will move all persons to a safe location away from the flow of traffic. If practical, officers should facilitate moving the vehicles out of the flow of traffic. If there is a need to involve a crash investigator, officers should protect the crash scene.
      - (3) Arriving officers typically direct traffic until a supervisor is on scene. The supervisor will either redeploy or direct additional resources.
      - (4) Officers should close the lane or lanes and redirect traffic around the crash site.

- b. Periods of adverse road and weather conditions.
    - (1) The procedures should be the same for any crash.
    - (2) During adverse conditions, officers should attempt to keep the roadway open if safe to do so.
    - (3) Roadways may possibly be closed to vehicles and bicycles and only open to pedestrians.
    - (4) Full closure and alternate routes may be set up with appropriate signage.
  - c. Manual operation of traffic control devices.
    - (1) When there is a need to alter the traffic control settings, officers may manually control the traffic control device.
    - (2) With the newer traffic control devices, officers can open the control box to access a control switch to either control the light cycle or change to a flashing red/yellow signal.
    - (3) Officers may also shut off the control device and use hand signals to control the flow of traffic.
  - d. Use of temporary traffic control devices.
    - (1) Officers may deploy temporary control devices, such as traffic barrels and cones, accordion style-foldable barriers that are located in cruisers with signage, and other department approved devices such as temporary stop signs and yield signs.
  - e. Personnel directing traffic shall wear reflective clothing at all times, unless exigent circumstances dictate otherwise.
    - (1) All officers who will be functioning in a traffic control assignment shall wear reflective clothing.
    - (2) Officers arriving at a scene where they will be directing traffic will transition to any approved reflective clothing as soon as possible.
- P. 61.3.3 (M) Escorts
- 1. Procedures for vehicular escorts shall include the following.
    - a. Scheduled non-emergency police escorts may be provided for public officials, dignitaries, or funerals.
      - (1) When escorting, officers will obey traffic laws; the use of emergency equipment will be specified in advance or during the escort at the direction of a supervisor.
      - (2) Traffic control will be established at locations along the scheduled route as needed.
      - (3) The department follows federal guidelines and practices, often referred to in the department as *leap frogging*, but only with motorcycles and bicycles for slow moving

events such as parades. The leap-frogging vehicles and bicycles will only pass on the left.

- b. An emergency police escort of a civilian vehicle is not authorized. In all medical emergencies, sick or injured persons will be transported by ambulance except in exigent circumstances with the approval of a supervisor.

Q. 61.3.4 (O) School Crossing Guards

1. Directives for the use of school-crossing guards are as follows.

a. Authority and responsibilities.

- (1) The ability of the department to employ and assign school crossing guards is authorized by the Police Commissioner.
- (2) Their responsibilities include assisting pedestrians, including children, parents or adult caretakers; persons on bicycles; and children exiting or entering school buses to and from school safely.
- (3) Crossing guards shall use a handheld stop sign and may press the pedestrian walk button on the traffic signal to aid in their crossing duties. M.G.L. requires the handheld stop sign.
- (4) Crossing guards should not direct pedestrians to cross the crosswalk contrary to posted signs or signals.

b. Selection criteria.

- (1) Candidates can apply on-line through the city website or in person at the police department.
- (2) A member of the Traffic Unit reviews resumes and contacts viable applicants by phone to set up in-person interviews at the police station. At the interview, each candidate is asked to sign a release for a background check.
- (3) The application, including the release for the background is forwarded to the Director of Planning, Budget, and Personnel who will then request that the Professional Standards Unit conduct a background investigation.
- (4) The Police Commissioner makes the final determination, based on all available information, whether a candidate is offered a position.
- (5) Successful candidates are considered intermittent crossing guards for the first sixty days, during which time they are observed and evaluated. If it is determined that the candidate performs at an acceptable standard, they are offered a permanent position.

c. Uniforms/apparel to be worn.

- (1) As an intermittent crossing guard, the prospective candidate is given a stop sign and an American National Standards Institute (ANSI) high-visibility vest.
    - (2) Once a candidate becomes a permanent employee, the person is provided an appropriate uniform.
  - d. Criteria for locations requiring school-crossing guards.
    - (1) A member of the Traffic Unit communicates with members of the School Department and the School Transportation Department, which handles the buses. The School Transportation Department identifies Safe Routes for bus drop-offs and school crossings. The term Safe Route is a designation by the Mass Department of Transportation.
    - (2) The department makes every reasonable effort to comply with requests from the School Department and the School Transportation Department, attempting to balance public safety needs with staffing requirements.
    - (3) Factors to consider when selecting location requiring crossing guards include traffic volume and speed; number of turning movements; width of an intersection; existence or absence of traffic control devices; and number and age of children using the crossing.
  - e. Identification of the locations requiring school-crossing guards, based on an annual documented review.
    - (1) The department, in conjunction with the School Department and the School Transportation Department, shall conduct an annual documented review identifying locations requiring school crossing guards.
- R. 61.4.1 (M) Motorist Assistance
1. Provisions for motorist assistance include the following.
    - a. Officers who either encounter or are dispatched to a motorist in need of assistance will provide first for safety and then attempt to address the concern of the motorist. If the vehicle is impeding the flow of traffic or is creating a hazardous condition, officers should stay on scene until the condition is rendered safe.
    - b. Officers may assist motorists with mechanical issues but are not required to do so.
- S. 61.4.2 (M) Hazardous Roadway Conditions
1. Procedures for taking action to correct hazardous roadway conditions include the following.
    - a. An officer who either observes or receives a report from dispatch regarding a hazardous roadway condition will take immediate action to provide for the safety of the traveling public, investigate the nature of the defect or hazard, notify the appropriate entity responsible for the property by contacting the Emergency Communications Department.

- b. Officers should stay on scene until the hazard or situation is mitigated/corrected or the officer is relieved.
  - c. If the problem will not be addressed or corrected within a reasonable time and the officer can make the scene safe through temporary means, such as traffic cones or other devices, the officer does not need to remain on scene. The officer should confer with a supervisor who will give approval to leave the scene.
- T. 61.4.3 (M) Towing (See policy 61-5 Towing.)
- U. 61.4.4 (O) Traffic Safety Materials
  - 1. Traffic safety educational materials will be made available to the public.
    - a. The department participates with other City departments in providing traffic safety materials to the public.
    - b. Often, when the department participates in state-funded programs regarding traffic safety, educational materials are provided to the public.
    - c. The Family and Social Justice Unit provides educational materials to schools, including information on pedestrian and bicycle safety.
    - d. Such material is also available on the department website.