A. Policy

The traffic enforcement objective of the department shall be to reduce traffic collisions and injuries and to facilitate the safe and expeditious flow of vehicular and pedestrian traffic through the public's voluntary compliance with traffic regulations. The department seeks to achieve this objective through a combination of education and enforcement.

The department seeks to educate the public regarding traffic regulations through programs aimed at exposing specific problems, by publishing traffic collision and injury statistics, and by giving notice and warnings of changes in regulations prior to taking enforcement action.

The department shall take enforcement action upon the detection of an illegal and potentially hazardous act without regard for such factors as attitude, intent, or frivolous excuse. Enforcement action may consist of a warning, citation, or physical arrest, which shall be based upon applicable state statutes and City ordinances.

The primary responsibility for enforcing traffic laws shall be shared by all uniformed personnel and such enforcement action may consist of a warning, citation, application for complaint, or physical arrest.

Traffic violation enforcement is one of the many routine tasks performed by agents, but for violators it frequently is an emotionally traumatic experience. In many cases, this is the only contact that a person has with our department. Agents shall be aware of these conditions and shall strive to make each contact educational and to leave the violator with the impression that the agent has performed a necessary task in a professional and friendly manner.

B. Procedure

1. Agents do not have sufficient information to advise citizens of what their fines might be. Therefore, agents may advise citizens who inquire about fines that if they appear in court, the court will make an individual determination in each case, and that fines are decided accordingly.

2. If citizens do not desire (or are not required) to appear in court on the matter, they may be advised to appear at the Violations Bureau to ascertain the amount of the fine.

3. Unless the traffic regulation violated is one unique to the Lakewood area, no immunity shall be granted because a person is a nonresident. Nonresidency shall not be sufficient in itself to require detention or the posting of bail bond to ensure appearance in court.
4. Street parking is restricted in various areas of the city to ensure fair access to parking and to expedite the flow of vehicular traffic. All existing parking regulations shall be enforced with reasonableness and impartiality in all areas of the city.

5. Any tendency of motorists to knowingly violate traffic laws shall be deterred by visible, moving patrol and the number of traffic collisions is correspondingly reduced. However, when there is an unusual or continuing enforcement problem at a particular location, agents may park in a conspicuous location and observe traffic.

6. Agents may use unmarked police vehicles or covert stationary observation at particular locations for the purpose of traffic enforcement.

7. The department compiles and reviews traffic enforcement activities data and visual surveys to determine by location, time, and day of week violations occur, and which violations are causing accidents. Based upon the information thus obtained, the department deploys its personnel to those specific areas to observe violations and to take enforcement action. In addition, when the department receives complaints of a specific traffic problem in a particular area, it specifically assigns personnel to investigate and take necessary enforcement action. Agents shall attempt to correct roadway and roadside hazards as soon as possible by correcting the situation or causing the notification of the proper agency. Road design or defect problems shall be documented on a memorandum and forwarded to Traffic Engineering or the proper agency via the Patrol Support Coordinator.

8. Juveniles who violate traffic laws shall be given no special consideration. Agents may use their discretion when dealing with juveniles. Legislators, however, while attending sessions of their respective houses or committees thereof, and while traveling to and from same are protected from arrest in all cases except treason or felonies. A traffic or criminal summons shall not be issued at the time of the alleged offense. The person shall be detained only long enough to verify his identity. The agent shall then contact the City Attorney's Office to obtain proper service of the summons.

9. The traffic enforcement program shall include both education of the public and enforcement of applicable statutes and ordinances so that the causes of accidents involving motor vehicles, bicycles, and pedestrians are reduced.

10. No agent shall use radar as a traffic enforcement tool until he has obtained department recognized certification. The department will recognize certification under either of the following circumstances. 1) Upon completion of a certified radar course of 40 hours sponsored by this department. 2) Upon completion of any other certified radar course with a minimum of 50 hours of personal radar operation. The above courses will require trainees to demonstrate their competence with each radar device. The operational procedures, proper care and maintenance, and testing shall be according to the manufacturer's operator's manual.
The Traffic Team Sergeant shall be responsible for the maintenance of radar equipment, tuning fork maintenance, tuning fork certification, and maintenance and calibration records. The Training Unit Technician shall maintain certification records of those employees authorized to operate radar.

11. In addition to the use of traffic radar devices for the measurement of speed, agents may utilize the following:

a. Patrol vehicle speedometers to pace suspected violators. Agents should maintain a constant or opening distance between vehicles in determining violator speed. Patrol vehicles used to pace violators should have their speedometers calibrated by a certified radar operator as soon as possible following the issuance of a summons. When a violator is clocked at a hazardous speed level, it is not necessary for the patrol vehicle to be calibrated at the same speed. It is recommended that radar calibration at three lesser speed levels be used.

b. Devices may be utilized for time/distance speed calculations. Operators of such devices shall have received training and certification prior to use of the device for traffic enforcement.

c. Laser speed measuring devices may only be used upon completion of a Certified Laser Operation course of at least 8 hours, in addition to 8 hours of personal laser operation. The Department will recognize training from another agency, if the agent can demonstrate their competency with the laser device. Prior to laser certification, agents must have completed a 40-hour radar certification course which includes visual estimates of speed.

12. Police agents who contact drivers that have had their driving privileges denied, suspended, or revoked by the Department of Revenue, Motor Vehicle Division, shall adhere to arrest standards contained in the Department Manual when determining whether or not to incarcerate the violator or issue a summons and release.

4301 TRAFFIC COLLISION RESPONSE

B. Procedure

1. When the department receives notification or discovers a traffic collision which has occurred on the public roadways within the city, an investigation is conducted to record the accident and evidence on-scene, render necessary services, facilitate exchange of drivers information, identify and take enforcement action for violations, and to restore the normal flow of traffic. Accident reporting shall be in accordance with procedures established by the State of Colorado.
2. When available, agents shall be dispatched to hit-and-run traffic collisions, which have recently occurred and a report will be taken. All other hit-and-run traffic collisions will be referred to the desk agent where a report will be taken.

3. If appropriate, agents will air a description of the suspect vehicle.

4. All unsolved hit-and-run traffic collision reports will be assigned to a traffic detective for appropriate investigation and follow-up.

4302 PRIVATE PROPERTY ACCIDENT REPORTING

B. Procedure

1. Communications Section personnel, upon receiving a call of a private-property accident, shall determine if any of the following aggravating circumstances concerning the accident are present:

   a. If a fatality or injury is involved.
   b. If the accident involves a hit and run which recently occurred.
   c. If there is damage to public property.
   d. Indication of driving under the influence of alcohol or drugs.
   e. Indication of reckless driving.
   f. If hazardous materials are present.
   g. If there is a disturbance between accident principals.
   h. If there is major traffic congestion on a public roadway caused by the accident.

2. If any of the above conditions are present, an agent shall be dispatched who shall conduct an investigation and take appropriate action. A State of Colorado Traffic Accident Report Form shall be taken when required.

3. Upon the agent’s arrival, or if an agent locates a collision on private property which does not involve the above circumstances or require a State of Colorado Accident report, he shall:

   a. Give the drivers an exchange of information form.
   b. Call tow trucks if necessary.
   c. Explain the department’s policy.
   d. Inform the dispatcher that a report was not written.
e. Return to service.

4. During the reporting stage, if Communications Section personnel determine that none of the aggravating circumstances are present, Communications Section personnel shall advise the reporting party that no police agent will respond, and that the involved parties shall exchange driver information and inform their respective insurance companies.

Communications Section personnel shall also advise callers that private property accident reports will be taken at the police station if they choose to have a report taken. Agents assigned to the front desk shall provide the parties with a Code 6 accident packet.

If, however, the information regarding the above conditions is unknown to the reporting party, an agent may be dispatched.

4303 CODE 6 ACCIDENTS

B. Procedure

1. When any driver of a motor vehicle involved in a traffic collision who has already left the scene wants to make a report of the accident, he shall be directed to respond to the Lakewood Police Department desk agent to complete the required forms. Although the drivers may do this at their convenience, they shall be encouraged to respond to the station at the same time in order that all required information may be completed at one time. Whenever a citizen responds to the Police Department to report a traffic collision, the on-duty desk agent shall provide the parties with a Code 6 accident packet.

2. When any driver making a desk report is unable to provide proof of insurance, a traffic summons shall be issued for 42-4-1409 (3) or 10.60.220 (c) whether or not a hazardous violation is charged.

3. When an agent happens upon any accident that would qualify as a "code-6" accident, the field agent will provide the drivers with a "code-6" packet, which contains an accident form. The drivers will be encouraged to complete the necessary forms and deliver them to the Lakewood Police Department desk agent at their earliest convenience. All other "code-6" accidents reported at the police station will be handled with the same "code-6" packet.

4304 TRAFFIC COLLISIONS INVOLVING DAMAGE TO PUBLIC UTILITIES

B. Procedure

1. Police agents investigating traffic collisions involving damage to any public utility shall ensure that the appropriate utility company is notified.

2. Information relayed to the utility company shall include the nature of the problem and, if appropriate, any life endangering status of the damage.
B. Procedure

1. A police agent or supervisor shall investigate any accident that occurs in
the city limits and involves a City of Lakewood owned vehicle.

2. Whenever possible all damage and injuries resulting from the accident
shall be photographed.

3. With the exception of on-duty Lakewood police employees, any at-fault
driver may be issued a county summons, where such charges are
appropriate, on-scene.

4. If the investigating agent is uncertain as to whether a chargeable violation
has occurred or which charge to use, the accident report shall be
forwarded to a follow-up traffic detective for review. If charges against
any non-police driver are deemed appropriate following the detective's
review, a county summons shall be issued by the detective.

5. Traffic collisions that occur within the city limits and involve off-duty City
employees, including police employees, shall be handled as any other
nonemployee accident by the investigating agent with the exception that
where charges are appropriate a county summons shall be utilized.

6. Existing, full-custody arrest procedures required in cases of such serious
traffic offenses as DUI or vehicular assault shall not be affected by these
procedures.

7. Accidents involving police employees driving City vehicles shall be
reviewed internally by the department.

   a. The involved police employee's supervisor shall obtain a traffic
collision packet and ensure that all applicable forms are
completed.

   b. The completed accident packet shall be reviewed by the
employee's chain of command. Following review, the packet
shall be forwarded to the Personnel Investigations Unit.

   c. The accident shall be classified as "Preventable" or
"Nonpreventable." Any disciplinary action taken shall be
documented by the employee's supervisor.

   d. Police-involved traffic collisions that occur on private property
and lack fatalities, injuries, DUI, careless, reckless, or
hit-and-run shall be handled as described elsewhere and shall be
reviewed internally.

C. Rule
1. A sworn supervisor shall respond to the scene of any accident that involves a City of Lakewood employee utilizing a City-owned vehicle within the city limits. Whenever feasible, a sworn supervisor shall respond to the scene of any accident that involves an employee of this department utilizing a City vehicle and occurring in the Denver metropolitan area.

4306 ACCIDENT SCENE CONTROL

B. Procedure

1. Agents shall ensure that a police vehicle utilizing emergency lights, traffic cones, flares, barricades, etc., are utilized to divert traffic movement safely around traffic scenes when necessary.

2. Traffic cones, flares, or barricades shall be positioned at accident scenes to ensure protection of the scene until traffic flow can be restored to normal.

3. Agents shall ensure that a prompt, coordinated response by either medical or fire suppression personnel shall be accomplished as needed. Agents who are first responders are responsible for providing basic first aid and life support until properly relieved by medical personnel. Tow trucks and other specialized equipment shall be ordered as needed.

4. The integrity of the scene shall be maintained for the collection and preservation of physical evidence. Witnesses shall be located, if available, and information obtained. Minor accident vehicles shall be moved from the roadway as soon as possible, thereby relieving congestion and the possibility of another collision.

5. Personal property of accident victims shall be protected and booked into the property section whenever a victim is unable to care for it.

6. The patrol agent shall be in charge of an accident scene unless relieved of the responsibility by a traffic investigator or other command personnel.

7. The investigator takes command of any scene he deems appropriate wherein he files the crime report and requires other agents to file supplemental reports.

8. Nothing prevents an investigator from having a task he feels important to the case performed without taking command of the crime scene.

4307 TRAFFIC CONTROL SAFETY

B. Procedure

1. While directing vehicular traffic, involved agents shall wear the department issued safety vest. Wearing of the department issued helmet is strongly recommended.
2. Other safety devices such as traffic cones, flares, and flashlight cones shall be used when necessary.

4308 TRAFFIC DIRECTION

B. Procedure

1. Agents who direct traffic at an accident scene, special event, intersection, or any other condition shall utilize hand signals as explained in the source material used by the LPD Training Academy. Additionally, field training agents and supervisory personnel shall ensure all police agents utilize hand signals as taught in the Traffic Direction section of the academy curriculum.

4309 POINT AND MANUAL TRAFFIC CONTROL

B. Procedure

1. The City Traffic Engineering Division conducts general and specific traffic volume surveys to identify shifting traffic patterns and locations where traffic signals or traffic control devices are necessary. On an annual basis, the Traffic Team sergeant shall obtain reports generated by Traffic Engineering and provide these reports to patrol commanders.

4310 MANUAL TRAFFIC CONTROL AND THE USE OF TEMPORARY CONTROL DEVICES

B. Procedure

1. Police agents shall be authorized to switch automatic traffic signals to manual operation in the following circumstances:
   
a. Traffic collision scenes.

b. Malfunctioning traffic signals.

c. Traffic congestion due to special events.

d. During times of adverse road conditions due to weather.

e. Fire scenes.

f. At the direction of a patrol supervisor.

2. Supervisors shall ensure police agents are thoroughly familiar with the operation of automatic signals in the manual condition, prior to authorizing such use.

3. Signalized intersections shall, if possible, be turned off during manual control operations. Agents shall ensure that Street Maintenance is notified, via dispatch, of any light malfunction.
4. Traffic control necessary at non-signalized roadway locations may be accomplished by other than manual direction. The use of temporary stop signs, barricades, traffic cones, etc., may be used to control traffic if such use does not jeopardize citizen safety.

5. Such temporary devices are available from Traffic Engineering and Colorado Barricade Company.

6. The temporary devices shall be removed when they are no longer necessary for traffic control.

7. Traffic control at fire scenes shall be coordinated with the fire department personnel. The main traffic control objectives at fire scenes shall be to allow access for emergency vehicles and to keep vehicular traffic clear of fire apparatus.

8. During periods of adverse road and weather conditions, liaison should be established with Street Maintenance, Traffic Engineering, and/or the State Highway Department for the prompt notification of problem areas. Such conditions may require debris removal, sand application, or signal repair. Hazardous areas may require manual traffic control points or the use of temporary warning devices.

9. Supervisors should be made aware of manual traffic control points established, in order to arrange for personnel relief as necessary.

4311 SPECIAL EVENT TRAFFIC CONTROL

B. Procedure

1. The designated commander of a special event shall be responsible for assigning a supervisor to coordinate traffic direction and control and for establishing contingency plans for all special events. That supervisor shall be responsible for assigning personnel to ensure the expedient flow of traffic and for completion of task order forms for each agent assigned. The supervisor shall identify alternate routes for through traffic, provide emergency vehicle access routes, and make provisions for the relief of agents assigned to point control duties.

4312 SUMMONS AND COMPLAINT FORMS

B. Procedure

1. The department shall use the Jefferson County Uniform Summons and Complaint commonly referred to as a county summons for all state statute charges to be cited on a summons.

2. The department shall use the Lakewood Municipal Summons and Complaint commonly referred to as a municipal summons for all municipal charges.
3. Agents shall complete each summons by listing the required information as completely as possible on the face of the summons.
   
a. Appearance dates and times vary and shall be taken from the current information available in the Enforcement Guide.
   
b. Charges shall be worded just as they appear in the Enforcement Guide. (Agents shall be responsible to update pleading changes as they occur.)
   
c. All court appearance times shall be listed as a.m. or p.m. on a 12-hour clock.

4. The county summons provides a penalty assessment system, which is used by Jefferson County court.

An Enforcement Guide listing all state traffic code violations, points, the common code number, and appropriate fines shall be issued to all sworn personnel. The procedure for implementing penalty assessment in state traffic code violations shall be as follows:

a. A state traffic violation occurs and enforcement action is initiated by an agent.

b. The agent checks the violation in the enforcement guide to determine if the violation allows penalty assessment.

c. If the violation is one, which permits penalty assessment, the agent shall provide an explanation to the citizen of his option to use the penalty assessment system.

d. The agent shall complete the summons, including the proper arraignment date and time. The agent shall check 'yes' in the penalty assessment box and ensure that the proper common code, points, and fine appear on the summons. The defendant shall be asked to sign the summons under the penalty assessment section.

e. The defendant should be advised that he has the choice of mailing in his fine, or appearing on the assigned court date.

f. Once the defendant signs the penalty assessment section of the summons, the agent shall give the defendant a copy of the summons. The agent shall also point out the instructions for penalty assessment that appear on the back of the defendant's copy of the summons.

g. The arraignment date should be 8 to 10 weeks from the issuance date on penalty assessment summonses.
h. If the violation is one, which does not provide for penalty assessment, the agent shall proceed with the issuance of a summons either requiring a signature in the promise-to-appear section or incarceration depending on the circumstances.

i. The above procedures shall apply to speeding violations, equipment violations, commercial vehicle violations, multiple violations, other hazardous violations, and non-hazardous violations.

j. Enforcement of newly enacted laws and ordinances shall comply with the above procedures unless an administrative directive is issued to counter those procedures.

DISTRIBUTION OF PENALTY ASSESSMENT SUMMONSES

The defendant’s copy of the summons shall be issued to the defendant.

The remaining copies of the summons are not notarized and shall be forwarded to the Records Section.

The Records Section shall remove the records’ copy and mail the remaining copies of the summons to the Department of Revenue, State of Colorado.

If, after 20 days from issuance, the Department of Revenue has not received the defendant’s copy of the summons and fine, the Department of Revenue will return all copies of the summons to the Lakewood Police Department Records Section.

5. The agent issuing the summons shall sign and print his last name as indicated at the bottom of the summons upon issuance.

6. The agent shall make notes pertinent to the case on the back of the district attorney’s copy of the county summons. In addition, the agent shall indicate the existence of:

a. All police reports.

b. All written witness statements.

c. All evidence reports or logs.

d. All paper documentation of blood, breath, or other scientific testing, including results if available.

e. Photo or videotape logs.

f. Names, addresses, and business and residence telephones of all witnesses.
The agent shall also indicate where these reports may be obtained if other than the Records Section. If the county summons is the only report in the case the agent shall indicate same.

7. Sworn supervisors shall review all summons forms for completeness and accuracy.

8. When the county District Attorney's Office requires copies of reports on a case initiated by a county summons and complaint, they will request same by mail to the Records Section. The Records Section shall then arrange for delivery of all reports in the case to the District Attorney's Office by mail.

C. Rule

1. Blank summons forms shall be securely stored in the Records Section or at a secure off-site facility.

2. A log system shall be used to record the initial issuance of summons books to personnel and the destruction of any unused summons forms.

3. Summons forms shall be controlled and accounted for.

4313 SUMMONS CANCELLATION AND CORRECTION

B. Procedure

1. Agents shall use summons correction/cancellation request forms to:

a. Correct or add information to a summons when the defendant is not available for reissue of a corrected summons.

b. Cancel a summons that has not been served on the defendant.

2. If an agent has served a summons copy to a defendant, and is now requesting dismissal, he shall complete a Summons Cancellation Request form explaining why the summons should be dismissed and submit that form with the summons to a supervisor for approval.

3. The supervisor shall review the summons and if sufficient cause is shown to request a dismissal, shall attach the Summons Cancellation Form to the summons and forward both to the Records Section.

4. Records Section personnel shall deliver both the summons and Summons Cancellation Form to the City or District Attorney’s Office so the appropriate motion may be made. In this circumstance, the summons cancellation serves only as a notice to the prosecuting attorney that the agent wishes to have the case dismissed. The defendant must still appear on the arraignment date.
C. Rule

1. Once a defendant has been served his copy of a summons, the summons cannot be canceled, it must be dismissed on motion of the prosecuting attorney in open court.

4314 OFF-ROAD RECREATIONAL VEHICLES

B. Procedure

1. Enforcement of unlicensed off-road, recreational-vehicle violations on public roadways shall be the same as for unlicensed motor vehicles.

2. Juveniles who violate traffic laws shall be given no special consideration. Agents shall use discretion when dealing with individuals in this category.

3. The violation of off-road, vehicle-registration laws, misuse of public trails, and improper use of traffic-way crossings shall be enforced by applicable state statute or municipal ordinance.