	Winchester City Sheriff's Office Manual of General Orders Operations 307	Effective Date: May 1, 2014 Accreditation Standards: OPR .07.01 OPR .07.02 OPR .07.03 OPR .07.04
		Original Policy: May 1, 2014 Last Review Date: October 31, 2023 Next Review Date: October 31, 2024
Subject: Traffic Enforcement		By Authority of: <hr/> William E Sales, Sheriff

Effective /Review Date	Sections Changed	Changes	Reviewed by	Approved by
06-11-18	III K 2 c	Changed "Lieutenant" to "Outside Services Unit"	EAS	LRT
06-11-18	III K 2 f	Changed "Lieutenant" to "Outside Services Unit"	EAS	LRT
06-11-18	III N 2 a	Changed "Lieutenant" to "Outside Services Unit"	EAS	LRT
07-15-20	III Q	Added "Q. Reporting- At this culmination of each traffic stop, deputies shall complete the Winchester City Sheriff's Office Traffic Stop Information Sheet. All forms will be turned in weekly to the Winchester City Sheriff's Office Executive Admin. The Executive Admin will submit weekly reports to our reporting agency, (The Winchester City Sheriff's Office).	EAS	LRT
03-04-24	III A 3 b	Replaced "for: a. A felony that has been committed involving a vehicle, b. When the operator refuses to sign the promise to appear on the traffic summons, and c. Whenever the operator is licensed by a non-reciprocal State and the deputy believes the offender is likely to disregard the summons." With "if: a. It is believed by the deputy that a person committed a felony b. It is believed by the deputy that the offender is likely to disregard a summons issued"	MRA	WES

I. PURPOSE

The purpose of this order is to prescribe procedures for traffic law enforcement, preventive patrol, proactive enforcement, and relationships with motorists, pedestrians, and the court system.

II. POLICY

Objectives of traffic law enforcement are to reduce traffic accidents and injuries, and to facilitate the safe and expeditious flow of vehicular and pedestrian traffic through voluntary compliance with traffic regulations. The Winchester City Sheriff's Office seeks to achieve this objective through a combination of education and enforcement.

The Sheriff's Office seeks to educate the public regarding traffic regulations through programs aimed at exposing specific problems. Enforcement action may be taken upon detection of an illegal and potentially

hazardous act, without regard for such factors as attitude, intent, or excuse. Enforcement action may consist of a warning, citation, or arrest.

Traffic enforcement is one of the many tasks performed by deputies, but for violators it is frequently an emotionally traumatic experience. In many cases, this is the only contact that a person has with law enforcement. Deputies should strive to make each contact educational and to leave the violators with the impression that the deputy has performed a necessary task in a professional manner.

The Sheriff's Office conducts statistical and visual surveys to determine by location, time, and day of week which violations are causing accidents. Based upon the information obtained, personnel are deployed to take enforcement action. In addition, when complaints are received regarding a specific traffic problem in a particular area, personnel are assigned to investigate and take appropriate enforcement action.

III. PROCEDURES

A. Types of Enforcement Actions

Enforcement action may consist of a warning, citation, or physical arrest.

1. **Warnings:** A warning may be issued to a violator whenever there is a minor traffic infraction committed in those areas where traffic accident experiences 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. An effective warning, properly given by a deputy, can be more effective, while building positive rapport with drivers, than any other type of enforcement action.
2. **Virginia Uniform Traffic Summons (UTS):** A UTS 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.
3. **Physical Arrest**

Deputies should make a physical arrest, in compliance with Virginia Code § 46.2-940 if:

- a. It is believed by the deputy that a person committed a felony
- b. It is believed by the deputy that the offender is likely to disregard a summons issued

B. Handling Special Categories of Violators

1. **Juveniles:** Deputies may consider the use of warnings for juveniles who commit a minor, non-hazardous violation. Warnings, if given, may include notification/advice to the violator's parents.
2. **Consular officials of foreign nations** may be immune from arrest for criminal and traffic offenses. Refer to ADM-118 for guidance in dealing with diplomatic immunity.
3. **The Lieutenant Governor and members of Legislature:** Virginia Code § 30-7 states any member of the General Assembly, any clerk thereof or his assistants, the Lieutenant Governor or the sergeant-at-arms of the Senate or the House who is alleged to have committed a criminal offense as defined in § 18.2-8, shall be subject at any time to be charged, arrested,

prosecuted and imprisoned for such offense. Traffic infractions are violations of public order as defined in § 46.2-100 and not deemed to be criminal in nature.

4. Military Personnel: Deputies will abide by Virginia Code § 46.2-305, § 46.2-306, § 46.2-308, § 44-97, and § 8.01-327.2 when enforcing traffic violations pertaining to military personnel.
5. Nonresident: violators who are licensed by a reciprocal state (ADM-105) will be treated the same as residents. When the offender is licensed in a non-reciprocal state, an arrest may be required.

C. Information Regarding Traffic Summons

The Virginia Uniform Traffic Summons will be completed whenever a motorist is to be charged with a motor vehicle violation. The following information shall be provided to the motorist:

1. The date/time of the court appearance;
2. Whether the court appearance by the motorist is mandatory or;
3. The motorist is allowed to prepay the fine prior to the court date and enter a guilty plea. Information on how to proceed with the prepayment option shall also be furnished to the motorist.
4. Any other information necessary prior to the release of the motorist.

D. Uniform Enforcement Policies for Traffic Law Violations

The following guidelines for uniform traffic law enforcement actions in routine situations are provided to assist deputies in making decisions as to whether issue a verbal warning or issue traffic summons.

1. Speed violations: It should be a clearly convictable speed in court, and may depend on the location of violation (congested area, school zone, etc.). All speed enforcement equipment shall be tested at the beginning of the shift and the end of the shift. Deputies are required to maintain the calibration of their assigned vehicle and they shall not use any malfunctioning speed enforcement equipment.
2. Other hazardous violations: Consider degree of hazard, place, previous accident history of location, current directed patrol emphasis, etc.
3. Equipment Violations: Often motorists are unaware of minor equipment defects and bringing the problem to their attention will suffice. A summons should be considered in cases of flagrant equipment defects.
4. Public carrier/commercial vehicle violations: Consider the congestion, lack of parking, and carrier needs for delivery access. Repetitive violators should be cited.
5. Multiple violations: May cite all if deemed necessary, however, it may also be beneficial to charge the most serious violation and warn on others.
6. Newly enacted laws and/or regulations: Normally, a grace period may be established during which only warnings will be given. Thereafter, the deputy should use their discretion.
7. Nonresidents: Nonresidents may be given the appropriate consideration regarding their unfamiliarity with Virginia laws or the area.

8. Seatbelt and Child Safety Restraints: Deputies should ensure that the driver, front-seat passenger, and juveniles are in compliance with the Code of Virginia regarding all safety restraints.
9. Traffic Accidents: Deputies may consider whether or not someone was injured, the amount of damage to vehicles/property, and the driver's negligence.

E. Traffic Law Enforcement Practices

1. Normal traffic enforcement involves visible traffic patrol by deputies who observe and handle traffic violations during the performance of their normal duties.
 - a. Directed patrol instructions can specify enforcement efforts in an area, or at a specific location, depending on the nature of the hazard/violation being concentrated on.
2. Stationary observation, either covert or overt, may be used as a technique to make observations about the flow of traffic at a particular location. Deputies are encouraged, when completing reports or doing other activities which will keep them out of service for a short while, to park their patrol vehicles in a conspicuous location, where just the presence of the vehicle will serve to remind the other drivers of the need for compliance with traffic laws. Enforcement that requires the use of a covert location isn't as well accepted by the motoring public, but may be the only way to handle a particular problem.

F. Objectives of Traffic Stops

There are two primary objectives of a traffic stop. The attainment of these two objectives depends upon the deputy's ability to evaluate the violator's mental outlook, physical condition, and facts concerning the violation. This requires a thorough understanding of human relations and demands flexibility on the part of the deputy. Enforcement procedures should minimize conflict, which may develop between the deputy and violator and assist in achieving the two major objectives, which are:

1. Immediate objective: To take the proper and appropriate enforcement action.
2. Ultimate objective: Alter the violator's future driving behavior regarding his/her compliance to traffic laws.

G. Stopping the Traffic Violator

The following steps in stopping and approaching a traffic violator are intended to provide maximum safety for the deputy, the violator, and other users of the roadway. Varying conditions regarding the engineering of the particular traffic artery, the urgency to stop the violator (drunk driver), and the existing volume of traffic may require adjusting or altering the recommended procedure. These procedures are to be followed when possible, and are presented from the perspective that ideal conditions exist.

1. The apprehension of a traffic violator has begun when the deputy has positioned himself behind the violator to begin the stopping procedure.
2. At this point, the deputy should notify the Communications Center of the license number and the intended location of the traffic stop.

3. The deputy should be thoroughly familiar with the area, and anticipate the appropriate location to stop the violator. Consideration should be given to a location with ample space, appropriate lighting and should avoid stops on hills, curves, intersections, private drives, and business locations which have limited parking.
4. The violator should be signaled and directed to the right side of the roadway close to the curb, or onto the shoulder if the engineering design of the roadway permits this.
5. On multi-lane roadways, the deputy should ensure the safety of the violator during lane changes by gradually changing from lane to lane with the violator until the right side of the roadway is reached.
6. Should the violator stop abruptly in the wrong lane or in another undesirable location, he/she should be promptly directed to move to a safer location. Deputies should use the public address system to instruct violators to move to a safer location. If the deputy's verbal directions and gestures are insufficient to bring understanding, the deputy should quickly exit the patrol vehicle and personally give verbal instructions to the violator.
7. The violator should not be permitted to move his/her vehicle once it has stopped, if it is suspected that the driver's driving ability is impaired.
8. Once the violator has stopped in an appropriate location, the deputy should position the patrol vehicle approximately one-half to one car length behind the violator's vehicle. The patrol vehicle should be positioned so that it will offer the deputy some protection from oncoming traffic. A recommended position is to be approximately two feet outside and to the left of the violator's vehicle. This position provides maximum safety to the violator, the deputy, and all other traffic.
9. The deputy should exit from the patrol vehicle and be continuously alert for any suspicious movement or actions on the part of the violator or other occupants in the violator's vehicle.
10. The deputy may approach from the rear of the violator's car, looking into the rear seat area, and stop at a point to the rear of the trailing edge of the left front door. This position may be maintained if there are only occupants in the front seat of the vehicle. From this position, the deputy can communicate with the violator, keeping him/her in a slightly awkward position, and at the same time keep all occupants of the vehicle in view. There also may be occasions where the deputy may wish to approach the violator from the passenger side of the vehicle. With either approach the deputy needs to maintain a good view of the interior of the vehicle and its occupants.
11. In those cases where the violator's car has occupants in both the front and rear seats, the deputy should approach to a point near the leading edge of the front door, being especially alert for any unusual actions on the part of the occupants and choosing a path so the door cannot be used as a weapon against the deputy. From this position, the deputy can communicate with the violator and keep all occupants in view.
12. In traffic stops made by two person patrol vehicles, the passenger deputy should be responsible for all radio communications, writing all notes and messages relayed from the communications center, and during the traffic stop should exit from the vehicle and act as an observer and cover for his/her fellow deputy.

13. At night, the procedure is basically the same with the additional necessity of exercising caution in selecting an appropriate place for the traffic stop, signaling the violator, and positioning the patrol vehicle. After the stop, in addition to the headlights, the takedown lights should be activated, and the spot light should be on the inside rearview mirror.

H. Approaching the Traffic Violator/Deputy -Violator Relations

Once the deputy has stopped the violator and approaches to a point where communications can begin the following guidelines should be followed in terms of deputy-violator relationships:

1. Be alert at all times for the unexpected, but do not be obviously apprehensive.
2. Be absolutely certain the observations of the traffic violation were accurate, without reservation.
3. Present a professional image in dress, grooming, language, bearing, and emotional stability.
4. Be prepared for the contact by having the necessary equipment and forms, if they are to be used, immediately available.
5. Decide on the appropriate enforcement action based upon the violators driving behavior, not their attitude. In most cases, it is advisable to have the form of enforcement action decided prior to the initial contact with the violator. An exception to this might be, when the deputy, through conversation, finds an out-of-state driver performing a violation that would not be a violation in his jurisdiction, and the deputy then decides to issue a warning rather than a citation as initially intended.
6. Greet the violator with an appropriate title and in a courteous manner.
7. Inform the violator what traffic law he/she has violated and the intended enforcement action; the violator should not be kept in suspense.
8. Ask for the violator's driver license and vehicle registration. If the driver attempts to give the deputy a bribe so that enforcement action will not be taken, the deputy will refuse the bribe and advise the violator of the illegality of the offer.
9. If the driver doesn't have a driver's license, then try to obtain another document of identification. A driving record check should be done on the violator to ensure that they are licensed.
10. Complete the forms required for the enforcement action taken or exercise a verbal warning, if this is the decision.
11. Explain to the violator exactly what he/she is supposed to do in response to the action taken and, if asked, advise how this action may affect their driving privileges.
12. If the enforcement action requires a court appearance make sure the violator knows where and when to appear. Explain any alternatives to the violator, but do not attempt to predict the actions of the court. Have the violator sign the summons.
13. Be alert to any emotional stress exhibited by the driver. If stress is present, the instructions may have to be repeated or the violator may need to calm down before resuming driving.

14. Return the violator's drivers' license, registration, a copy of the action taken, and a prepayment form if required.
15. Assist the violator in safely reentering the traffic flow.
16. If possible, do not follow the violator away from the traffic stop.

I. Felony Stops

Stopping known/suspected felon(s) when they are known/suspected to be armed: Special procedures should be used in vehicle stops when the occupants of a vehicle are known or are suspected to be armed and dangerous. When a deputy locates a vehicle driven by one of the above-described subjects, he/she will notify the dispatcher immediately of his/her location, and give a thorough description of the vehicle, and of the occupants. The deputy will keep support units informed of the location and direction of travel to facilitate their approach with minimal use of emergency equipment. The suspect vehicle should not be stopped, unless absolutely necessary, until adequate support is available and in position. The following procedures will be used in effecting the stop:

1. The deputy should plan to stop the suspect vehicle in a location, which presents minimal danger to other citizens.
2. When conditions are appropriate, and support units available, the deputy will move into position to the rear of the suspect vehicle.
3. The deputy will signal the violator to stop, utilizing all emergency equipment to warn other traffic.
4. The violator should be stopped on the extreme right side of the road.
5. If the violator is known to be armed and dangerous, the deputy will have his weapon easily accessible and ready for immediate use.
6. When the suspect vehicle begins to stop, the deputy will turn off the siren and actuate the public address system.
7. The deputy should park the patrol vehicle so that it provides maximum protection and cover for him/her.
8. At night, all lights will be focused on the interior of the suspect vehicle, including spotlights to the disadvantage of the violator.
9. The deputy will exit the patrol vehicle quickly, but remain behind the door and accessible to the public address system's microphone.
10. The deputy making the stop is in command and will direct each occupant, utilizing the public address system, to get out of the vehicle individually according to his/her specific directions. The driver/occupant(s) shall be ordered into the appropriate search position. After the driver/occupant(s) are in the search position, then deputies may approach to handcuff and search the driver/occupant(s)

11. If a public address system is not available, the arresting deputy will give voice commands if they can be heard; if this fails, the deputy may cautiously approach the vehicle, keeping all occupants in view, to a point where he/she can be heard.
12. To reduce confusion, the arresting deputy may provide instructions to the support deputies, as appropriate; and will be the only deputy issuing directions to the driver/occupant(s) of the suspect vehicle.
13. The support deputies will provide cover for the arresting deputy until all occupants have exited the vehicle and are in the search position.
14. Deputies should exercise extreme caution and not get within each other's line of fire.
15. When the driver/occupant(s) have been removed from the vehicle, the support deputies should continue to provide cover for the arresting deputy while the vehicle is inspected for hidden suspects. All persons should then be handcuffed and searched.

J. Persons Charged with Revoked/Suspended Operator's License

1. The Virginia Uniform Traffic Summons (UTS) may be issued when a deputy has stopped a vehicle and identified the driver as driving with a revoked or suspended operator's license (Virginia Code § 46.2-301). Virginia Code § 19.2-74 provides for the issuance of a summons in place of a warrant in misdemeanors. A suspension notice should be given to any person that has not been officially notified of their suspension.
2. If a deputy who sees an individual driving, who he/she knows to be under suspension/revocation, and he/she is unable to stop the individual in a timely manner, then he/she may swear out a warrant for the violator.

K. Speed Enforcement

Excessive speed is the second greatest cause of death and injury on highways in the United States. All deputies should apply uniform methods of enforcement of speed laws within the city. Procedures for the enforcement of laws applying to speed will vary in accordance with the type of equipment used.

1. Pacing: The deputy should follow the vehicle being paced at a constant interval for an adequate distance, normally one quarter to one half mile, to obtain a reading on their speedometer indicating a speed exceeding that posted speed limit. All speedometers in vehicles used for speed enforcement must be calibrated at least every six months.
2. Radar: The following guidelines are established for the use of radar, which will always be operated in compliance with the manufacturer's instructions. All Sheriff's Office radar units meet current NHTSA standards. Generally, the following procedures are applicable to the operation of radar units:
 - a. The radar unit must be properly installed in the vehicle and connected to the appropriate power supply.

- b. The effective range of the particular radar unit must be thoroughly understood by the operator, so visual observations can support the speed meter readings.
- c. The radar unit will be properly calibrated to ensure accuracy in checking speed. The operator must follow the manufacturer's recommended specific methods of checking calibration without exception. Any problems with the operation of radar units or apparent malfunction should be promptly reported to the Outside Services Unit.
- d. The deputy must establish the following elements in court when radar speed charges are placed:
 - (1) The time, place and location of the vehicle that was checked, the identity of the operator, the speed of the vehicle, and the visual and radar speed check.
 - (2) Deputy qualifications and training in the use of radar.
 - (3) The radar unit was operated properly.
 - (4) The unit was tested for accuracy prior to use and after use by an approved method.
 - (5) Identify the vehicle and have made a visual observation of its apparent speed (tracking history).
 - (6) Speed limit in the zone in which deputy was operating and that speed limit signs were posted.
 - (7) The operator of the vehicle.
- e. Radar training is given to all deputies according to DCJS standards; therefore, deputies should be able to cite/display the training they have received.
- f. The Outside Services Unit is responsible for ensuring that radar units receive proper care and upkeep, all required maintenance is completed, calibration of radar units is performed, and records are kept according to General Schedule #17 of the Library of Virginia's retention schedule. The calibration of Sheriff's Office vehicles shall also be his/her responsibility.

L. Alcohol Counter Measures Program

- 1. The arrest of an individual for driving under the influence differs significantly from other traffic law violations. Any person who operates a motor vehicle while under the influence of alcohol or other self-administered intoxicants or drugs poses an unpredictable hazard to law-abiding motorists; therefore, each deputy of the Winchester City Sheriff's Office will make an intensified effort to remove this type of driver from the highway. The Sheriff's Office has established a proactive impaired driving enforcement program that has as its goal the reduction of accidents involving impaired drivers.
- 2. The Sheriff or his designee will be responsible for assignment of personnel for enforcement duty, for designing checkpoints, for liaison with the Commonwealth Attorney's Office, and the Courts. In addition, the Sheriff or his designee is responsible for:
 - a. Assignment of regular patrols to cover the high accident locations times/days within the city, with emphasis on the violations that have caused the accidents.
 - b. Assignment of targeted DUI patrols to concentrate on violation areas within the times and days that relate to alcohol infractions.

M. DUI Enforcement Procedures

1. General: Driving under the influence has been interpreted by various courts to mean the ability to operate a motor vehicle is reduced or impaired by the consumption of alcoholic beverages or other drugs. It does not imply that the operator of a motor vehicle be in a state of alcoholic or drug-induced stupor or be entirely incapable of exercising physical control of the vehicle. Driving under the influence of intoxicants is an offense generally associated with leisure-time activity. Consequently, most arrests are made during evening hours or in the early morning hours after taverns close or social gatherings end. Although, an intoxicated driver may be observed any day of the week, weekends and holidays reflect an increase of offenses and arrests.

2. Deputies should be familiar with the following laws:

- a. Virginia Code § 18.2-266 driving a motor vehicle, engine etc., while intoxicated.
- b. Virginia Code § 18.2-266.1 persons under age 21 driving after illegally consuming alcohol.
- c. Virginia Code § 18.2-267 preliminary analysis of breath to determine alcoholic content of blood.
- d. Virginia Code § 18.2-268.2 implied consent to post-arrest testing to determine drug or alcohol content of blood.
- e. Virginia Code § 18.2-268.3 refusal of tests.
- f. Virginia Code § 18.2-268.5 qualifications and liability of persons authorized to take blood samples; procedures for taking samples.
- g. Virginia Code § 18.2-268.9 assurance of breath-test validity; use of test results as evidence.
- h. Virginia Code § 18.2-268.10 evidence of violation of driving under the influence offenses.
- i. Virginia Code § 18.2-269 presumptions from alcohol or drug content of blood.

3. Locating and Stopping

- a. As soon as a deputy suspects a driver of being under the influence, these observations should be noted for future reference.
- b. Be alert and use extreme caution when stopping a suspected intoxicated driver. Keep in mind that alcohol or drugs affect judgment and often result in erratic behavior.
- c. Follow the established procedures for stopping traffic violators.

4. Deputy-Driver Contact

- a. Deputies will be polite and businesslike, remaining aware that the driver's judgment, self-restraint, and self-confidence are the first faculties to be distorted by alcohol, creating the setting for lack of cooperation, belligerency, and even physical contact. Do not allow yourself to be drawn into an argument.
- b. Get the violator out of the vehicle and to a safe location, carefully observing all actions and statements.
- c. Obtain the person's operator's license or other identification.
- d. Suspected drivers will be requested to perform the following preliminary tests:
 - (1) It is recommended that the 3 standardized field sobriety tests be administered to the driver, if possible. Other field sobriety tests may be administered if the driver has a physical condition that may prohibit him/her from completing the standardized tests. The 3 standardized tests are:

- (a) Horizontal Gaze Nystagmus
- (b) Walk and Turn
- (c) One Leg Stand

- (2) An Alco Sensor test indicates the amount of alcohol present in the blood. The driver must be advised he/she has the option of taking this test and that the results may not be used against him/her in court. Sheriff's Office Alco Sensor's will be calibrated according to the manufacturer's recommendations.
- (3) The test results and driving behavior should be collectively weighed in the decision to make an arrest; however, the suspect driver may refuse these tests. If so, the deputy may arrest on the basis of observations of driving behavior. The suspect driver whose dexterity performance is unacceptable, yet chemical test reveals no alcohol consumption, should be carefully observed for signs indicating drug usage or abuse. Deputies may also arrest in this case on the basis of observations of driving behavior and dexterity alone.

5. Processing DUI

Every driver arrested for driving under the influence will be advised of the law requiring a blood or breath test to be taken and the penalty for refusal. (Implied Consent Law)

(1) Breath Test

If the violator submits to the breath test for intoxication, a qualified Breathalyzer operator will administer it. Normally, the test will be conducted at the Northwest Regional Adult Detention Center. If the equipment at this facility is unavailable, the next closest site shall be used.

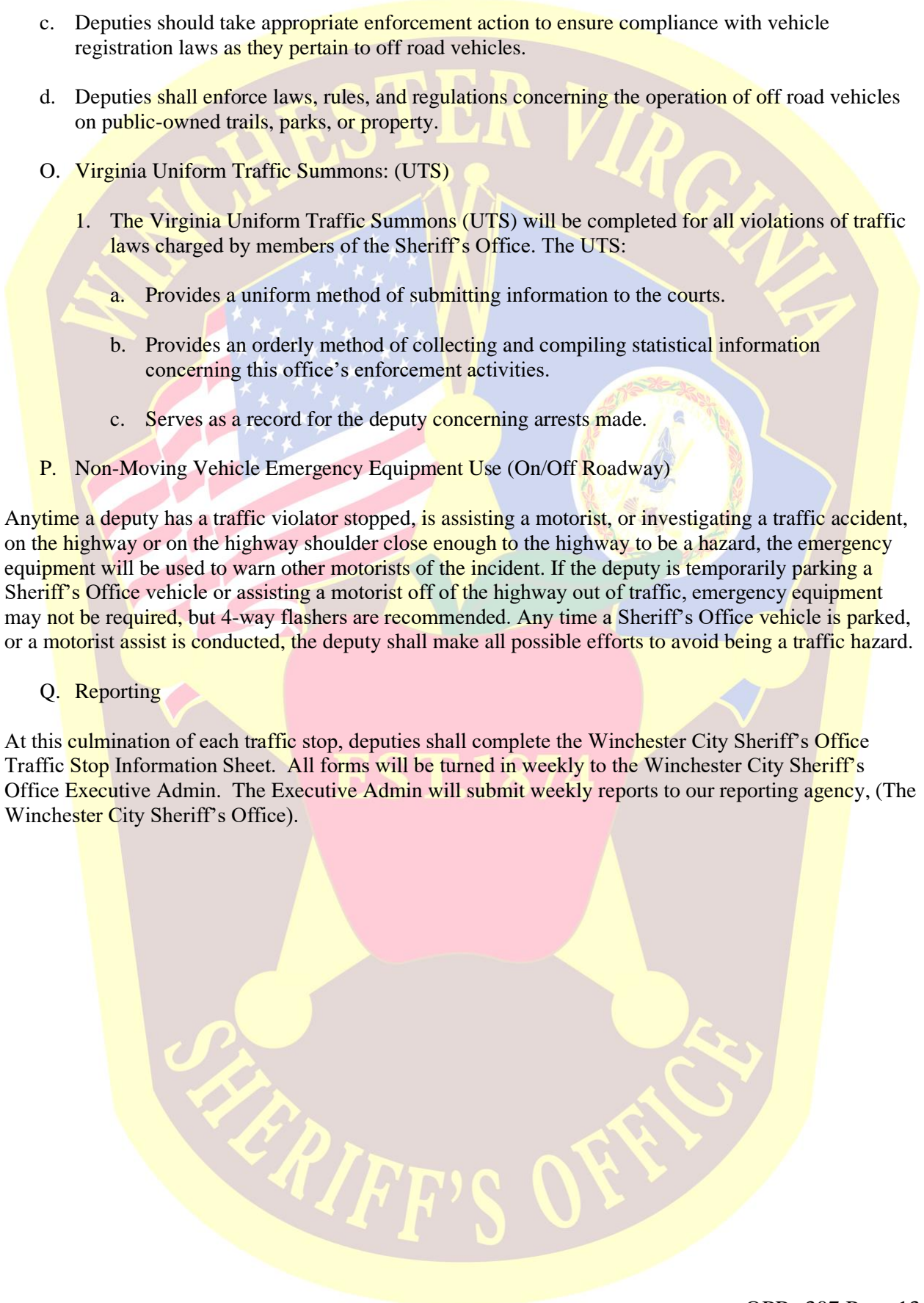
(2) Blood Test

- (a) Every deputy shall have access to blood vials issued by the Division of Forensic Science.
- (b) The deputy will transport the suspected DUI to the Winchester Medical Hospital for the blood test. Emergency room or hospital personnel will advise you where to go and what to do. The suspect is not to leave your sight during this time. Once the physician, registered nurse, or technician is ready to draw the blood, you will supply this person with the biological specimen's box. From this point, you should not handle the sample again until they are returned to you sealed. There are instructions directing the person drawing the blood on the proper procedure in each box. Once the blood has been drawn and the package is sealed and returned to you, the gathering of physical evidence is over.
 - 1) Note the conditions under which the blood is drawn (sterile).
 - 2) Note the name of the person drawing the blood and their occupation. They must be a doctor, nurse, phlebotomist, graduate laboratory technician, or a nurse authorized by a Circuit Court Order.
 - 3) When you observe the blood being drawn, be prepared to testify to the following:
 - a) Person drawing blood washed hands/used gloves.
 - b) Vials were sealed before opening.
 - c) Syringe package was sealed before opening.
 - d) Needle package was sealed before opening.
 - e) Soap or betadine was sealed before opening.
 - f) Gauze package was sealed before opening.
 - g) If betadine solution used, testify to that.
 - h) Note area from which blood was drawn (left arm, etc.)
 - i) Area was washed with soap and water or betadine.

- j) 10 cc of blood was placed in each vial.
 - k) Each vial was capped and sealed.
 - l) You verified the information on each vial.
- (3) The arresting deputy will complete a property form and submit the specimen box to the property officer who will mail the specimen to the Virginia Division of Forensic Science.
- (4) If a violator does not submit to the breath test or blood test after having been advised of the law, the deputy shall execute the Declaration of Refusal Form and provide it to the magistrate.
- (5) A Sheriff's Office DUI report will be completed accounting for the incident and indicating the results of any tests that have been administered.

N. Special Traffic Problems

1. Identification and referral of driver recommended or re-examination to the Division of Motor Vehicles: During routine traffic law enforcement activities, deputies frequently encounter persons who they suspect of being incompetent, physically or mentally disabled, or having other conditions that might prevent the person from exercising reasonable and ordinary care over a motor vehicle. In such cases, in addition to the enforcement action by the deputy, the deputy should notify the Virginia Division of Motor Vehicles of these findings or suspicions, by completing the Medical Review Request Form (DMV Form MED 3) and submitting it to DMV.
2. Pedestrian and Bicycle Safety
 - a. The Outside Services Unit or his designee will routinely review the traffic accident records to determine what enforcement actions are needed to provide a pro-active pedestrian/bicycle safety enforcement program to:
 - (1) Reduce or eliminate human or environmental factors leading to accidents.
 - (2) Reduce or eliminate the behavioral actions, decisions, and events that lead to the accidents.
 - (3) Reduce or eliminate the type of accident by counteracting precipitating factors.
 - a. The Major or his designee will direct appropriate patrol activity based on recommendations made.
 - b. Warnings may be given for violations by bicyclists and pedestrians (especially young children) unless it is a flagrant violation.
3. Off-Road Vehicles, including dirt bikes, snowmobiles, and mopeds.
 - a. Accidents involving off-road vehicles that do not occur on a public highway do not require traffic accident reports, unless there is personal injury or it is a fatality. If the responding deputy finds it convenient, he/she may complete an accident report and attach it to the completed incident report.
 - b. Any deputy observing an unlicensed off-road vehicle that cannot be legally operated on the public highways, being operated on the highway shall order the vehicle to be removed and take appropriate enforcement action.

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- c. Deputies should take appropriate enforcement action to ensure compliance with vehicle registration laws as they pertain to off road vehicles.
 - d. Deputies shall enforce laws, rules, and regulations concerning the operation of off road vehicles on public-owned trails, parks, or property.
 - O. Virginia Uniform Traffic Summons: (UTS)
 - 1. The Virginia Uniform Traffic Summons (UTS) will be completed for all violations of traffic laws charged by members of the Sheriff's Office. The UTS:
 - a. Provides a uniform method of submitting information to the courts.
 - b. Provides an orderly method of collecting and compiling statistical information concerning this office's enforcement activities.
 - c. Serves as a record for the deputy concerning arrests made.
 - P. Non-Moving Vehicle Emergency Equipment Use (On/Off Roadway)

Anytime a deputy has a traffic violator stopped, is assisting a motorist, or investigating a traffic accident, on the highway or on the highway shoulder close enough to the highway to be a hazard, the emergency equipment will be used to warn other motorists of the incident. If the deputy is temporarily parking a Sheriff's Office vehicle or assisting a motorist off of the highway out of traffic, emergency equipment may not be required, but 4-way flashers are recommended. Any time a Sheriff's Office vehicle is parked, or a motorist assist is conducted, the deputy shall make all possible efforts to avoid being a traffic hazard.

Q. Reporting

At this culmination of each traffic stop, deputies shall complete the Winchester City Sheriff's Office Traffic Stop Information Sheet. All forms will be turned in weekly to the Winchester City Sheriff's Office Executive Admin. The Executive Admin will submit weekly reports to our reporting agency, (The Winchester City Sheriff's Office).