

COOLIDGE POLICE DEPARTMENT		
	CHAPTER 61 TRAFFIC OPERATIONS CALEA Standard(s):	General Orders
Issue Date: 6-24-13	Review Date:	Revision Date: 9-8-15

61.1 Traffic Enforcement

A. Enforcement of traffic laws is the responsibility of all patrol officers and is considered one of an officer's routine duties while on patrol. Traffic enforcement is intended to encourage compliance with traffic laws, prevent accidents and ensure the smooth flow of traffic.

B. Officers are also required to render assistance to motorists as may be necessary. This may include answering questions, providing directions, assisting stranded motorists in obtaining assistance and other such actions.

C. Traffic stops have been and continue to be high risk contacts for police officers. Officers must remain alert when approaching a stopped vehicle and must exercise appropriate tactics and officer safety practices. When an officer has articulable facts to believe that the occupant of a vehicle presents a threat to the officer, the vehicle stop should be handled as a high risk vehicle stop, which should be performed consistent with the training on high risk vehicle stops.

D. For their own safety, officers should complete a vehicle license plate check prior to stopping and/or approaching a vehicle. Officers shall advise Communications of the vehicle's license plate and the location of the stop prior to leaving their vehicle. Officers should, when possible, have the driver pull off of the roadway, position the officer's vehicle safely and approach the stopped vehicle from the right side.

E. Officers will maintain a professional demeanor during all contacts with members of the public, including those persons stopped for traffic violations. Officers shall advise the driver of the reason for the stop, obtain the required information and issue whatever citation or verbal or written warning is, in the officer's discretion, appropriate.

F. Officers may direct the violator to remain in or return to the vehicle, or to get out of the vehicle, as the officer believes appropriate. If the person refuses to obey the officer, the officer may use reasonable force to enforce compliance with the officer's directions.

G. Officers shall maintain visual contact with the vehicle and its occupants.

61.2 Leaving the Scene

All leaving the scene cases shall be documented on a DR, which shall include all relevant available information, including the license plate number and description of the vehicle and the driver of the suspect vehicle, if known.

61.3 Enforcement of Parking Regulations

The City has a variety of parking restrictions in various parts of the jurisdiction. Any enforcement of those restrictions shall be done fairly and impartially in all areas.

61.4 Suspended Driver License or Registrations

If a driver has a suspended, revoked or cancelled license or registration, the officer shall take enforcement action and shall consider whether the vehicle is required to be impounded under A.R.S. §28-3511.

61.4.1 Seizure of Arizona Driver License

In every case in which an officer cites for a suspended, canceled, or revoked Arizona driver license, the officer shall seize the license, if it is present. The driver license shall be placed in Property and Evidence. Out of state driver licenses shall not be seized.

61.4.2 Seizure of Arizona Registration and License Plates

In every case in which an officer cites for a suspended, revoked or cancelled Arizona registration, the officer shall seize the license plate and registration. The plate and registration shall be placed in Property and Evidence. Out of state licenses and registration shall not be seized.

61.5 Issuing Citations

A. Following the stop of a motor vehicle for a traffic violation, the officer may generally decide, based upon all of the circumstances, whether to issue a citation, a written warning, or an equipment repair order. A warning is appropriate if, in the officer's judgment, the driver's future driving behavior has been positively impacted by the contact, or the violation was inadvertent.

B. When a citation or equipment repair order is issued, the officer shall explain to the person the steps they must take to handle the violation. This will include information about and the procedures surrounding a court appearance, whether a court appearance is mandatory, whether the violator may plead or pay a fine by mail and other pertinent information.

C. The officer shall have the person sign the citation, explaining that the person's signature is not an admission of responsibility, but is simply a promise to appear.

1. If the person refuses to sign a civil citation, the officer shall enter the word "served" in the violator's signature block and give the person a copy of the citation. A person shall not be booked for refusing to sign a civil citation.

2. If the citation is for a criminal offense and the person refuses to sign, explain to the person that refusing to sign will result in the person being booked. A person who refuses to sign a criminal citation shall be booked.

D. When issuing a citation to a driver who is not a resident of the State of Arizona, there are no special guidelines except that officers should consider an arrest, rather than a cite and release, when the traffic offense involves a serious misdemeanor violation such as DUI, criminal speeding, or reckless driving.

61.5.1 Traffic Enforcement Involving Juveniles

61.5.2 Traffic Enforcement Involving Legislators

State legislators are immune from any civil process, including traffic citations, for fifteen days prior to the start of the legislative session and during the session itself. Federal legislators are immune while traveling to attend a session of Congress, during session and when returning home.

61.5.3 Traffic Enforcement Involving Foreign Diplomats and Consular Officials

A. Foreign diplomats, their families and staff, and Consular officials, are not immune from civil traffic offenses; they may be cited for such offenses. They may be, however, immune from arrest and search, even with a warrant. An officer must determine the scope of the person's immunity before citing for criminal traffic offenses.

B. Consular officials may be issued both civil and criminal traffic offenses. They may have some immunity under certain treaties; they will need to assert that immunity through the courts.

C. Officers shall request identification from any person claiming diplomatic immunity and shall seek verification of their status with either the FBI or the Department of State.

61.5.4 Citation Accountability

Each officer shall carry while on-duty a sufficient supply of citations. Officers are accountable for the citations issued to them and shall turn in completed citations at the end of shift.

61.5.5 Uniform Traffic Enforcement

A. A.R.S. Title 28 will be used for all civil or criminal violations of traffic laws, unless the violation is not represented in Title 28, in which case the City Code may be used as the basis for a violation.

B. The enforcement action taken against a motorist for a violation is based upon an officer's training, experience, and common sense (with a goal of voluntary compliance). However, it is the policy of this Department that formal enforcement action be taken on serious and/or hazardous violations such as, but not limited to:

1. DUI.

2. Reckless Driving.
3. Aggressive Driving.
4. Serious violations arising out of the operation of a commercial vehicle.
5. Driving with a suspended, revoked, or expired driver's license or vehicle registration.
6. Speed violations in excess of 15 miles over the reasonable and prudent speed.
7. Traffic collisions.
8. Any speed or passing violations occurring in a school zone.
9. Occupant Restraint Law: Officers will strictly enforce all occupant restraint laws, to include seat belts and child restraint devices.
10. Other hazardous violations.

C. Less formal enforcement action (warnings or equipment violation notices) may be taken against a motorist for:

1. Minor speed violations.
2. Equipment violations.
3. Non-hazardous moving or non-moving violations.
4. Less severe violations.
5. Newly enacted laws in which the contact would serve to educate the motorist.
6. Operating off road vehicles.

D. Pedestrian and Bicycle Safety: Officers will enforce laws and ordinances relating to bicycles and pedestrians.

61.5.6 Speed Enforcement

Officers will be required to attend a Radar/Lidar operator course. The course will include classroom lecture. The operator will be required to properly demonstrate the operation of The Coolidge Police Departments approved Radar and Lidar issued equipment. The operator will demonstrate proficiency by successfully obtaining five consecutive out of 15 visual moving speed estimates within plus or minus 5 mph using the radar. The operator will demonstrate proficiency

by successfully obtaining five consecutive out of 15 visual stationary speed estimates within plus or minus 5 mph using the Lidar. The operator will be required to pass a written exam with a score of 80%.

Operators will be required to do daily testing on all speed enforcement equipment used for enforcement. The daily testing requirements for the Radar are:

Light Test

- All display indicators, lamps, etc are all functioning correctly if not remove from service until repaired.

Internal Test

- Test Only –Not Calibration
- Must follow Manufactures Manuel of Operation
- Most devices use similar testing sequence

External Test

- Tuning fork test
- Hold in proper position relative to the antenna
- Radar must read out to ± 1 mph of the tuning forks certified speed

The daily testing requirements for the Lidar are:

- Power –on/Manuel Self-test
- HUD/Sight Alignment Test
- Range Accuracy Test

Test from a known distance and the measured range display should agree to a known fixed distance within ± 1 foot.

61.6 Traffic Collision Investigations

A. Officers responding to the scene of a collision are responsible for determining any necessary follow-up response, including scene safety, fire hazards, the presence of any hazardous

materials, first-aid, the identification of witnesses and all involved parties, traffic control and congestion, and the control of property or evidence at the scene. If a minor is injured in a traffic accident and the parent or guardian is not present, the officer must make a reasonable effort to notify the juvenile's parents or guardians.

B. The standard Arizona Traffic Accident Report form shall be completed for collisions that result in bodily injury, death, or property damage in excess of one thousand dollars, or the issuance of a citation. The full report will be done only for accidents that:

1. occur on the roadway, or
2. occur off the roadway, if one of the involved vehicles left the roadway out of control and collided with something (house, fence, guardrail, etc.), or
3. involve a bicyclist or pedestrian who is on or in a sidewalk area and is struck by a motor vehicle exiting a private drive or alley
4. involves government vehicles or property, regardless of whether the accident occurs on public or private property

C. When the incident involves a fatality or a hit and run, a DR shall be completed in addition to the accident report. Those involved in the traffic accident shall be provided with the case report number and will either be given copies of the accident report (if available) or the officer will ensure that an exchange of driver information occurs.

D. Officers shall check the license, registration and insurance of each involved driver and issue citations or impound vehicles as appropriate. Citations shall be noted on the accident report.

E. If a civil citation is to be issued to a person who has been admitted to a hospital, the citation shall be marked "served" and left at the hospital with the person's belongings. If the citation is for a criminal offense, the officer shall prepare a DR noting the need to issue the citation as a follow-up at a later time.

F. Private Property Collisions

1. Collisions involving a vehicle being operated on private property will not be investigated unless one of the following has occurred:
 - a. Death
 - b. Bodily Injury
 - c. Accident involves
 - i. Hit and Run

- ii. DUI
- iii. Reckless or Aggressive Driving
- d. Damage to government property
- e. Exposure to agency liability

In all collisions not meeting the above elements, the parties will be advised to exchange information. An FI card may also be taken when responding to a minor injury collision.

2. When any one of the circumstances listed in section A is present an Arizona Traffic Accident Report form will be completed. An exception may be made when the victim is unwilling to aid in the prosecution of a hit and run collision. In these cases, only an FI card will be completed.

61.7 Driving Under the Influence of Intoxicating Liquor or Drugs

A. Officers will make reasonable efforts to prevent intoxicated individuals from driving a vehicle. No person will be allowed to drive a vehicle for the purpose of making a DUI arrest. Any driver suspected of driving under the influence will be stopped as soon as it can be done lawfully and safely. While most driving violations apply only on the roadway, the DUI statutes apply on both public and private property.

B. Upon observing a suspected drunk driver, officers will carefully observe the vehicle movements in order to be able to document in the DR any facts that lead the officer to reasonably believe the vehicle operator is DUI. A vehicle may be stopped because the officer has reasonable suspicion of DUI, a traffic violation or any other offense. Once the vehicle is stopped, officers will pay attention to and later document any additional signs of impairment displayed by the driver. Officers may refer to The Visual Detection of DWI Motorists booklet published by the National Highway Traffic Safety Administration (NHTSA) for some common driving cues of an impaired driver.

C. Officers stopping a vehicle for non-DUI traffic violations or investigating a traffic accident will pay attention for any indications of impaired driving. Before individuals involved in an accident can be charged with DUI there must be evidence that they were driving or in actual physical control of the vehicle. Officers will consider the physical evidence, as well as the statements of any witnesses who can place the driver behind the wheel.

D. When arresting a driver who is in actual physical control of a vehicle, officers must document the details that show the driver was in physical control, including vehicle key in the ignition,

whether the vehicle's engine was running or in gear, placement of the driver, the location of the vehicle (roadway, right-of-way or private property), and other relevant details.

E. Prior to making an arrest for a DUI offense, the driver will be offered the opportunity to perform standardized field sobriety tests, except in those cases where the tests cannot be administered due to concerns for the suspect's or officer's safety. *Miranda* does not need to read to the person prior to the administration of Field Sobriety Tests as long as the officer does not interrogate the driver during the tests.

61.7.1 Standardized Field Sobriety Tests

A. Prior to the testing, officers shall ask if the suspect is injured, sick, has any physical disabilities, and if the suspect's shoes are comfortable. Documentation of the suspect's answers shall be noted in the DUI Report along with the surface and lighting conditions for the tests.

B. The following tests are included in the DUI report, which contains instructions for the tests, the cues that are to be evaluated and a place to record the evaluation. Officers shall read the instructions and carefully document the driver's actions during each test.

1. Horizontal Gaze Nystagmus – This test may only be done by a certified HGN Technician.
2. Walk and Turn Test
3. One Leg Stand Test

C. The following additional tests are optional. Officers may consider using these tests in situations where the Standardized Field Sobriety Tests cannot be completed. The optional tests may provide additional cues of impairment consistent with the suspect's lack of ability to divide attention.

4. Alphabet / Number Test - The instructions for this test, the cues that are to be evaluated and the place to record the evaluation is also included in the DUI report.
5. Balance test

Instructions: The following instructions shall be repeated to the driver: "When I tell you, I want you to stand with your heels together and your arms down to your sides, close your eyes and tilt your head back and estimate thirty (30) seconds. (Demonstrate, but do not close your eyes.) When you think thirty seconds has gone by tilt your head down, open your eyes and say the word 'stop.' Do you understand?" Clarify any questions and note clarifications in the report.

Evaluation: Officers shall time the suspect and stop the test at ninety (90) seconds. Observe the suspect during the test and note observations such as: "Required additional instructions during testing, opened eyes during testing, failed to keep heels together throughout, failed to keep head tilted back, etc." Document how much the subject swayed,

how much the upper body rotated, and how long the actual time period was that the suspect estimated to be thirty seconds.

6. Finger to Nose Test

Instructions: The following instructions shall be repeated to the driver: “When I tell you, I want you to stand with your heels together and your arms down at your sides, pointing your index fingers with your palms facing forward. Your index fingers are the fingers closest to your thumbs. (Demonstrate the position and place the suspect in this position). When I tell you to I want you to close your eyes and tilt your head back. Then using the finger I tell you, touch the tip of your nose with the very tip of your finger. (Demonstrate, but do not close your eyes.) Do you understand? Close your eyes and tilt your head back.”

Evaluation: The sequence for the finger to nose shall be left – right – left – right – right – left. The officer shall observe the suspect for required additional instructions during testing, open eyes during testing, failing to keep heels together throughout, failing to keep head tilted back, using a hand other than the one designated, missing nose with fingertip, touching nose with other than fingertip.

61.7.2 Arrest of DUI Suspects

A. To make a DUI arrest the officer must have probable cause that the:

1. suspect was driving or in physical control of a motor vehicle, and
2. suspect’s ability to drive was impaired to the slightest degree by alcohol or drugs, or there is an alcohol concentration of .08 percent or more within two hours of driving or being in actual physical control of the vehicle.

B. If the officer takes the suspect into custody for DUI the officer shall advise the suspect of his/her *Miranda* rights prior to interrogating the suspect. If the subject indicates that he/she understands the rights, the questions on the DUI report shall be asked, along with other reasonable questions to further the investigation.

C. A records check will be conducted on all persons arrested for DUI including driver’s license status and prior DUI history.

61.7.3 Administrative Per Se and Implied Consent

A. Persons arrested for DUI must be allowed access (by phone or in person) to an attorney, if requested, before taking a breath, blood or urine test, if granting the request will not unreasonably interfere with the investigation. In all cases where DUI is being charged, the arresting officer will read the Admin Per Se/Implied Consent Affidavit form to the suspect and complete the form. Officers will document the facts that established probable cause for the arrest on that form.

B. If the arrestee refuses or fails to successfully complete any blood alcohol concentration (BAC) test(s), the officer shall specify the manner in which the refusal or failure occurred. The officer shall then serve the driver with a Twelve (12) Month Implied Consent Order of Suspension and seize the driver's Arizona license or permit (only Arizona licenses or permits may be seized). If the driver's license is expired, suspended or cancelled, or if the driver does not have a license in his/her possession, the driver shall be provided with a copy of the MVD DUI Affidavit and directed to contact an MVD office to surrender his/her driver license in order to obtain a temporary driver permit. The officer shall indicate on the bottom of the Affidavit the reason the temporary permit was not issued.

C. If the arrestee has completed a test to determine their BAC and the results indicate a BAC of 0.08 or more (BAC of 0.04 or more for commercial vehicle operators) officers shall complete the DUI Affidavit, serve the driver with a Ninety (90) Day Order of Suspension, and seize the driver's Arizona license or permit.

D. When results from a blood or urine test are not known, the DUI Affidavit will be completed except for the Order of Suspension and Surrender of License sections. A Ninety Day Order of Suspension will not be administered at that time. Once the results are received and it is determined that the alcohol concentration was 0.08 or more, the Affidavit will be completed and a Ninety Day Order of Suspension will be served. If the arrestee cannot be located, the completed DUI Affidavit shall be forwarded to MVD to serve the Ninety Day Order of Suspension.

E. If a valid Arizona driver license or permit is surrendered, the officer shall issue a temporary driving permit that is valid for fifteen days. Seized Arizona driver licenses shall be attached to the original (white) copy of the Implied Consent/Administrative Per Se Affidavit and forwarded to MVD. Out of state driver's licenses or permits shall not be seized.

F. The implied consent provision applies whether the DUI occurs on private or public property and also applies to drivers in violation of the underage drinking and driving law, A.R.S. §4-244.33.

61.7.4 Chemical testing

All suspects will be informed that they are under arrest prior to being requested to provide a breath, blood or urine sample. Except pursuant to a search warrant (see General Order 61.7.6), force will not be used to obtain blood, breath or urine samples.

61.7.4.1 Breath Testing

A. The breath test must be done within two hours of the time the defendant was seen driving or in physical control of the motor vehicle. All DUI suspects will be informed that they are under arrest before they are asked to give a breath sample for analysis.

B. The breath test operator will utilize the approved Department of Health Services (DHS) operational checklist and will initial the appropriate places on this checklist for each test administered.

C. If the officer suspects drug use, a blood or urine sample should be obtained in addition to the breath test under the Implied Consent Law and submitted to the Department of Public Safety (DPS) for analysis.

61.7.4.2 Blood Testing

Blood may be drawn with the consent of the suspect. Only a physician, registered nurse or other qualified person (including employees who have completed the AZ P.O.S.T. approved training course as a phlebotomist) may withdraw blood for the purpose of determining alcohol concentration. An officer will witness the blood draw and take immediate custody of the sample. The officer shall document the sterilizing agent used (officers should request a non-alcoholic sterilizer be used), any unusual circumstances, and the entire chain of custody.

61.7.4.3 Urine testing

In cases where the breath test result is inconsistent with the impairment of the individual, an officer may request the person to complete a urine test. Such tests may be done by a medical facility or using a urine test kit, if one is available. In either case, the officer will observe the collection and take custody of the sample. The officer shall document any unusual circumstances and the entire chain of custody.

61.7.5 Right to an Independent Test

All suspects under arrest for DUI will be advised of the right to arrange and pay for an independent test or tests, regardless of whether the suspect completed a test for the officer. The officer advising the suspect shall document this in their report. Suspects who are released have the responsibility to arrange for and obtain their own independent test. Suspects who are to be booked and request an independent test shall be transported for the test as soon as practical after the arrest and in any event prior to booking. If the test is a blood test, the officer may request a portion of the sample as provided in A.R.S. §28-1388.

61.7.6 Search Warrants for blood or urine testing

A. When the suspect refuses to provide a chemical sample and no sample is taken under a medical draw, the officer shall apply for a search warrant based on probable cause for a blood and/or urine sample.

B. If the suspect refuses to cooperate with the service of the search warrant, officers may use reasonable force to restrain the suspect while blood is drawn. Officers should not endanger themselves or the suspect; if it reasonably appears injury will occur, officers should cease the attempt, charge the suspect with failure to comply with a court order and book the suspect into jail.

61.7.7 Disposition of the Suspect and Suspect's Vehicle

A. Generally, misdemeanor DUI suspects should be cited and released upon their signed promise to appear. Absent exigent circumstances, DUI suspects will not be cited and released if one or more of the following exists:

1. a previous failure to appear charge,
2. a previous DUI arrest in the past 24 hours,
3. refusal to be fingerprinted or photographed,
4. inability to get a responsible person to pick them up,
5. they make statements that they will drive again if released,
6. they are charged with a felony (may not be cited, must be long formed if released).

B. Suspects who are released will be given a lawful order to not return to the vehicle and drive until sober.

C. Additional issues to consider when dealing with DUI charges and arrestees include:

- BAC Greater than .05 but less than .08 May charge with DUI A.R.S. §28-1381A1 if impaired to slightest degree. Consider using DRE if drugs are suspected, including lawfully prescribed or recommended (medical marijuana) drugs.

- BAC .30 or higher If booked, obtain a doctor's release prior to booking. If released, medical attention is the driver's or the person-accepting-custody's responsibility. Advise the responsible party of the suspect's condition and that medical attention should be obtained (document advice).

- Aggravated DUI When charging with a felony DUI, do not cite the underlying misdemeanor DUI or civil traffic charges.

D. The arrestee's vehicle will be impounded if required under A.R.S. §28-3511, another law, or department policy. If not required, officers may:

1. Release the suspect vehicle to a responsible party designated by owner/operator, if the:
 - a. responsible party has a valid license, and
 - b. vehicle has current registration and proof of financial responsibility, and
 - c. responsible party shows no signs of impairment; a preliminary breath testing (PBT) may be used if the responsible party consents.

2. Secure the suspect's vehicle if requested.
3. If the owner requests it, the vehicle may be towed.
4. If no other disposition of the vehicle is appropriate, the vehicle may be towed.

61.8 Towing, Impounding And Inventory Of Vehicles

Any time an officer tows, impounds or otherwise stores a vehicle, the officer shall complete the necessary reports and notify the proper section (which may be Communications, Records or Evidence) of the action taken.

61.8.1 Vehicle Inventories

A. Officers shall inventory a vehicle when doing so is required by G.O. 61.8.2. The purpose of a vehicle inventory is to protect the:

1. property in the vehicle,
2. Department from claims of lost, damaged or stolen property, and
3. community from potential danger.

B. Officers shall inventory a vehicle at the scene from which the vehicle is being removed, unless it is unsafe or impractical to do the inventory at that time. Officers must complete the Vehicle Inventory Form, describe the vehicle and list all items found within the passenger compartment and trunk, including items found in containers within the vehicle. Locked containers (including the trunk or glove compartment) shall be unlocked with keys or (with the approval of a supervisor) a locksmith may be called. Entry should not be forced except with the approval of a supervisor.

C. Items with a value of less than \$200 may be left in a locked vehicle or in the vehicle's trunk. Items with a value of more than \$200, and jewelry, weapons, money and items of personal property (wallets, purses, etc.) shall be impounded as either safekeeping or prisoner's property. Officers should note on the Vehicle Inventory Form the presence or absence of items such as stereos, speakers, video displays, and GPS devices that are often targeted for theft.

D. Items of evidence or contraband that are discovered during the inventory should be handled consistent with established evidence procedures.

E. Both a DR and a Vehicle Inventory Form will be completed each time a vehicle is inventoried.

61.8.2 Towing Vehicles; Required vehicle inventories

A. Officers may order a vehicle towed in a variety of different situations. The Department uses a list of approved tow companies to tow vehicles, unless the owner or driver of the vehicle expresses a preference for another tow company.

1. When a vehicle is towed for any reason, the officer shall include the name of the tow company and the storage location of the vehicle in the DR or other record of the tow.
2. The tow company should not be contacted until the vehicle is ready to be removed from the scene.
3. If a tow company is cancelled after being notified, that should also be included in the documentation regarding the incident.
4. Arizona law requires a tow truck driver who removes a vehicle from a collision scene to clean up any debris leaving; this requirement should be enforced.

C. Officers who tow a vehicle shall complete an inventory on the vehicle in the following situations:

1. An officer may have a vehicle towed from the scene of a collision when:
 - a. the owner or driver specifies a tow company to tow the vehicle. In this situation, the officer is not required to inventory the vehicle.
 - b. when the owner or driver of a vehicle involved in the collision requests the officer to summon a tow company to tow the vehicle and expresses no preference for a tow company. In this situation, the officer is required to inventory the vehicle.
2. When a person involved in a collision is no longer at the scene, and a vehicle cannot be moved safely off the roadway, the officer shall have the vehicle towed. In this situation, the officer is required to inventory the vehicle, if reasonable given the vehicle's condition.
3. An officer may tow a vehicle when it is illegally parked and is creating a hazard (for example, blocking a fire lane) or which has been abandoned as defined in A.R.S. §28-4801. The vehicle must be inventoried if it is unlocked and neither the driver nor the owner are present. Locked vehicles shall be towed locked and need not be inventoried. The officer shall complete a parking citation and leave a copy with the vehicle.
4. An officer may tow a vehicle incident to an arrest of the driver of a vehicle. When a person is arrested, his/her vehicle may be:
 - a. released to a third party named by the arrestee (if the third party can respond in a reasonable time), or

- b. secured at the scene (if the arrestee requests it be left at the scene, and the vehicle can be secured and there is a legal place to park the vehicle), or
- c. the vehicle may be towed for storage, at the direction of the officer or the request of the arrestee; or
- d. the vehicle may be impounded as evidence.

If the vehicle is towed for storage or impounded and is unlocked, it shall be inventoried.

- 5. If the vehicle is impounded as evidence or is processed for evidence (for example, a stolen recovered) before being released. If the vehicle itself is impounded as evidence, the procedures in [G.O. 61.8.3](#) shall be followed.
- 6. If the vehicle is impounded under A.R.S. §28-3511. See [G.O. 61.8.4](#).

61.8.3 Abandoned Vehicles

A. An abandoned vehicle is a vehicle, trailer or semitrailer subject to registration under Title 28 that is lost, stolen, abandoned or otherwise unclaimed and that has been abandoned on a public highway, public property or elsewhere in this state, including private property. Evidence that a vehicle was left unattended for a period of **forty-eight hours within the right-of-way of any highway**, road, street or other public thoroughfare **or for a period of seventy-two hours on public or private property** or elsewhere in this state is prima facie evidence of abandonment. A.R.S. §28-4801.

B. It is illegal to abandon a vehicle on any street or highway, public land (including parks land) or private property. A.R.S. §28-4831.

C. Abandoned vehicles on private property. If an officer is dispatched to a call regarding an abandoned vehicle that is on private property, the officer shall determine whether the vehicle has been on the property for more than 72 hours (required time in order to be considered abandoned). If so, the officer shall run a registration and warrant check on the vehicle and verify the VIN and license plate number. If any of those checks result in information on the vehicle (that it is stolen, for example) the officer shall take appropriate action. If there are no results, the officer shall advise the property owner that they may, at their discretion, have the vehicle towed. Officers shall not arrange for the vehicle to be towed.

D. Abandoned vehicles on any street or highway, or public property.

1. If the vehicle is blocking a street or highway, the officer shall write the appropriate parking citation and have the vehicle towed. The vehicle must be inventoried if it is unlocked and neither the driver nor the owner is present. Locked vehicles shall be towed locked and need not be inventoried. The officer shall complete a parking citation and leave a copy with the vehicle.
2. If the vehicle is on a street or highway or on other public property but is not an immediate hazard, the officer shall mark the vehicle as abandoned and document having done so. The officer shall make a reasonable attempt to advise the last registered owner of the vehicle that the vehicle has been marked and will be towed after 48 hours if not removed. The officer marking a vehicle shall either follow-up on the vehicle and remove it after the 48 hours or shall arrange for another officer to do so.

When the vehicle is towed, the officer shall complete the appropriate vehicle towing/storage report and complete any inventory, as required by this policy.

61.8.4 Impounding Vehicles as Evidence

A. Normally, a vehicle is only impounded when it is evidence, is an instrumentality of a crime, is fruit of a crime, is seized for forfeiture, or when required by statute. Other than vehicle impoundments required by statute, a vehicle shall be impounded only with the approval of a supervisor.

B. Impounded vehicles, with the exception of those mandated by A.R.S. §28-3511, are to be stored at the police department lot. A tow company will be used to tow the vehicle. In order to establish the chain of custody, the impounding officer shall accompany the wrecker to the impound lot and remain with the vehicle at all times until it is secured.

C. At the impound lot, the vehicle shall be parked in an appropriate space; its location shall be included in the DR. Unless the vehicle is subject to forensic analysis, the officer shall properly inventory the vehicle, complete the Vehicle Inventory Form, ensure the windows are rolled up (or adequately covered if that is not possible), and lock the doors if the keys are available. If the vehicle is subject to forensic analysis, any inventory should be coordinated with the personnel who will be doing that analysis.

D. When releasing a vehicle from impound, the officer shall complete a supplemental report, file it with Records.

61.8.5 Vehicle Impounds Under A.R.S. §28-3511

A. A.R.S. §28-3511 requires that law enforcement agencies impound vehicles when the:

1. driver's driving privileges are revoked for any reason, except that the vehicle shall not be impounded if the person's privilege to drive is valid in this state, or

2. driver has never been issued a driving license in any jurisdiction, or
3. driver is subject to an ignition interlock device and is operating a vehicle without a functioning certified ignition interlock device (except in the case of a substantial emergency as defined in A.R.S. §28-1464), or
4. driver's driving privilege is canceled, revoked for any reason or the person has never been issued a driving license in any jurisdiction, and the person is not in compliance with financial responsibility requirements in Arizona, and the person is involved in an accident that results in property damage or injury or death of another person, or
5. driver is arrested for extreme DUI or Aggravated DUI or operating while under the age of 21 with spirituous liquor in the person's body, unless all the following apply:
 - a. Vehicle is currently registered and the driver or the vehicle is in compliance with financial responsibility requirements.
 - b. Spouse of the driver is with the driver at the time of the arrest.
 - c. Spouse notifies the officer that the spouse will drive the vehicle from the place of arrest to the driver's home or other place of safety.
 - d. The officer has reasonable grounds to believe that the spouse has a valid driver license, is not impaired by intoxicating liquor, any drug, vapor releasing substance containing a toxic substance or any combination of liquor, drugs or vapor releasing substance and, if under 21 years of age, does not have any spirituous liquor in the spouse's body.
6. A vehicle is displayed for sale or for transfer of ownership with a vehicle identification number that has been destroyed, removed, covered, altered or defaced.

B. These are required impounds; the officer has no discretion to decide not to impound.

C. These vehicles shall be inventoried prior to the tow company being called for the tow. Once inventoried, the tow company shall tow the vehicle to their lot.

D. The officer shall notify Dispatch and inform them of the impound. Dispatch shall enter information about the removal and impoundment of a vehicle into ACIC within three business days after the impoundment and Records will send, by first class mail, notice of impoundment to

all registered owners and lien holders of the vehicle. The officer who impounds the vehicle shall also provide written notice of the impoundment to the driver of the vehicle.

61.8.4.1 Hearings to contest impound

A person whose vehicle has been impounded may, under A.R.S. §28-3512, request a hearing to contest the impound of the vehicle. The hearing officer shall handle post-impound hearings.

61.8.4.2 Release of vehicle

Companies that tow vehicles impounded under Title 28 must agree not to release the vehicle to the owner without receiving release paperwork issued by the Department. The company shall advise any person seeking release of their vehicle to contact the Department.

61.9 Stranded Motorists

A. Unless responding to a crime in progress, a request for back-up or a similar situation, officers shall stop to render aid to motorists whose vehicles are disabled on the side of the roadway. When appropriate, officers should render first aid and/or call for medical assistance or obtain fire department assistance.

B. Officers should offer to contact a private person of the motorist's choice or a towing service of the motorist's choice to render assistance to the motorist.

C. If, due to either the time of day or the location of the vehicle, an officer believes the motorist may be in danger if left alone, the officer should not leave the location until assistance has arrived or the motorist has been relocated to a safe location.

61.10 Roadway Hazards

A. Officers shall respond to any reported or on-sight observance of a roadway hazard that may affect traffic, including debris in the roadway, non-working traffic signals, damaged traffic control signs, parked vehicles obstructing or nearly obstructing roadways and similar hazards. Upon arrival, officers should resolve those hazards that they may safely resolve (removing material from the roadway, or towing disable vehicles, for example), or contact the appropriate agency to respond to resolve the hazard.

B. Officers shall remain at the scene of any such hazard to direct traffic until the matter has been resolved, or until otherwise directed by a supervisor.

61.11 Parking Enforcement

Department personnel will take action on unsafe parking violations observed and on citizen complaints concerning parking violations, when feasible. Enforcement action will be in compliance with Arizona Revised Statutes and City Ordinances.

61.12 Escorts

- A. Employees will only provide an emergency escort service after receiving authorization from a supervisor. Regular and routine escorts shall only be authorized by the Chief of Police, or the Chief's designee. Officers may be provided as an escort for the following situations, at the Chief's discretion:
- a. Public officials
 - b. Dignitaries
 - c. Emergency Vehicles
 - d. Funerals
 - e. Oversize vehicles
 - f. Hazardous or unusual cargo
 - g. Parades
 - h. Other special events as determined by the Chief of Police, or the Chief's designee.

B. Officers will not provide an escort for civilian vehicles during medical emergencies except in the most dire of situations, and with the approval of a supervisor.

61.13 Radar Trailers and Speed Display Signage

A. This order establishes guidelines for the deployment of the radar trailers and speed display signage.

1. MOBILE POLICE RADAR TRAILERS are assigned to the Field Operations Division to further crime prevention and Block Watch program.
2. SPEED DISPLAY SIGNS are affixed to designated locations throughout the city for speed awareness and compliance.
3. OFFICERS may use the trailer primarily to address community complaints brought forth by Coolidge citizens, to assist in collecting traffic data, and to assist in the voluntary compliance of speed regulations

B. PROGRAM DESCRIPTION

1. This program is designed to address speeding within Coolidge by increasing the motorists' awareness of their speed
 - a. The radar trailer is assigned to the Field Services Division
 - b. The trailer is for use on residential and collector streets within the city
 - c. Officers may use the trailer to address complaints they receive from residents within their beat
 - d. Speed display signs are not to be moved from their designated locations without the approval of the Chief
2. Speeder Notification
 - a. Do not issue citations based on the readings from the radar trailer or speed display signs

C. OPERATIONS, MAINTENANCE AND STORAGE

1. DELIVERY, SETUP, RECOVERY: The Patrol Division is responsible for the delivery, set up, and recovery of the radar trailer
2. MAINTENANCE
 - a. The Patrol Division
 - 1) Provides basic trailer maintenance, including washing
 - 2) Provides functional maintenance of the radar units
 - b. Public Works provides mechanical maintenance
3. STORAGE: The radar trailer should be secured the back parking lot of the Coolidge Police Department when not in use with the charging cord plugged in to the extension cord
4. EQUIPMENT: The radar trailer is a self-contained unit and includes all of the necessary equipment needed to operate the unit