



Policy Number: 500 – Traffic
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Approved By: Brandon Gatlin, Interim Chief of Police

500.1 PURPOSE AND SCOPE

The purpose of this policy is to provide officers from the Montana State University Billings Police Department (Department) guidelines for improving public safety through education and enforcement of traffic-related laws.

500.2 POLICY

It is the policy of this Department to educate the public on traffic-related issues and to enforce traffic laws. The Department places a high priority on traffic enforcement and efforts will be driven by such factors as the location and/or number of traffic accidents, citizen complaints, traffic volume, traffic conditions and other traffic-related needs. The ultimate goal of traffic law enforcement and education is to increase the safety of University students, faculty, staff and visitors.

500.3 DEPLOYMENT

Enforcement efforts may include such techniques as geographic assignment of Department members and equipment, the establishment of preventive patrols to deal with specific categories of unlawful driving (i.e. speeding, pedestrian safety), and a variety of educational activities.

Several factors will be considered in the development of deployment schedules for Department members. Factors for analysis include, but are not limited to:

1. Location
2. Time
3. Day
4. Violation factors
5. Requests from the public
6. Construction zones
7. Pedestrian traffic
8. Special events

Officers assigned to uniformed patrol or traffic enforcement functions will emphasize the enforcement of violations that contribute to traffic accidents and pedestrian safety. The Department will emphasize enforcement efforts on violations that impact both University campuses and surrounding communities such as speeding, pedestrian crosswalk violations, stop light violations and impaired driving (DUI). Department members will take directed enforcement action on request, and random enforcement action when appropriate. Department

members shall maintain high visibility while working general enforcement, especially in areas where traffic accidents and violations frequently occur.

500.4 ENFORCEMENT

Traffic enforcement will be consistent with applicable laws and take into account the degree and severity of the violation committed. This Department does not establish citation quotas.

500.4.1 WARNINGS

Traffic Warnings are a non-punitive option that may be considered by officers when circumstances warrant, such as for minor violations

500.4.2 CITATIONS

Citations should be issued when an officer believes it is appropriate. When issuing a citation for a traffic violation, it is essential that the rights and requirements imposed on motorists be fully explained. At a minimum, motorists should be provided with (§ 46-6-310, MCA):

1. An explanation of the violation or charge.
2. The court appearance procedure, including the date, time and location of the court and the optional or mandatory appearance by the motorist.
3. A notice of whether the motorist can enter a plea and pay the fine by mail or at the court.
4. An explanation that failure to pay or appear may result in a summons or warrant or suspension of their driving privileges.

500.4.3 PHYSICAL ARREST

Physical arrest can be made on a number of criminal traffic offenses. These cases usually deal with, but are not limited to:

1. Vehicular homicide while under the influence (§ 45-5-106, MCA).
2. Driving under the influence (DUI) of alcohol or drugs (§ 61-8-401, MCA, et seq.).
3. Felony or misdemeanor hit-and-run (§ 61-7-118, MCA).
4. Fleeing from or eluding a peace officer (§ 61-8-316, MCA).

500.5 SUSPENDED OR REVOKED LICENSES

If an officer contacts a traffic violator who is also driving on a suspended or revoked license, the officer should issue a traffic citation, issue a Notice to Appear, or make an arrest as appropriate (§ 61-5-212, MCA).

500.6 HIGH-VISIBILITY VESTS

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of officers who may be exposed to hazards presented by passing traffic or by maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601).

500.6.1 REQUIRED USE

1. Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn when increased visibility would improve the safety of the officer, or when the officer will be exposed to the hazards of passing traffic, or will be maneuvering or operating vehicles, machinery and equipment.
2. Examples of when high-visibility vests should be worn include traffic control duties, traffic accident investigations, lane closures and disaster scenes.
3. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit.
4. Use of the vests shall also be mandatory when directed by a supervisor.

500.6.2 CARE AND STORAGE

1. High-visibility vests shall be maintained in the possession of each officer and kept with the officer at all times that s/he is on duty.
2. Each vest should be stored inside a re-sealable plastic bag to protect and maintain the vest in a serviceable condition.
3. Before going into service, each Department member shall ensure that a serviceable, high-visibility vest is available.
4. In the event an officer's high-visibility vest becomes damaged a supervisor should be notified so a replacement can be made available.