



# TALLAHASSEE POLICE DEPARTMENT GENERAL ORDERS

 Proudly Policing Since 1841	<b>SUBJECT</b>  Traffic and Parking Enforcement	 Nationally Accredited 1986	
	<b>CHIEF OF POLICE</b>  <i>Signature on File</i>		
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## AUTHORITY/RELATED REFERENCES

City of Tallahassee Ordinances, Chapter 20, Traffic and Vehicles  
 FS Chapters 316, 318, 320, 322  
 General Order 6, Arrests and Alternatives to Arrest  
 General Order 13, Traffic Enforcement Measuring Devices  
 General Order 46, Rules of Conduct  
 General Order 53, Impaired Driving Enforcement  
 General Order 64, Vehicle Impounding  
 IEA-4, Special Events Unit  
 OSB-2, Traffic/Traffic Homicide Unit  
 OSB-3, Community Service Technician Program  
 PTL 21, Traffic Crash Investigations  
 PTL 22, Fatal Traffic Crashes

## ACCREDITATION REFERENCES

CALEA Chapter     61  
 CFA Chapter       18

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### POLICY

The Department shall establish uniform traffic and parking enforcement procedures to promote the safe and efficient movement of vehicle and pedestrian traffic, and members are responsible for adhering to applicable laws, statutes, ordinances, and directives during traffic and parking enforcement activity.

### DEFINITIONS

**Biased Policing:** The inappropriate consideration of specified characteristics while enforcing the law or providing police services. Specified characteristics includes, but is not limited to, race, ethnic background, national origin, gender, gender identity, sexual orientation, religion, socioeconomic status, age, disability, political status, or any other legally protected characteristics. (CFA Definition)

The selection of an individual(s) for enforcement action based in whole or in part on a trait common to a group, without actionable intelligence to support consideration of that trait. This includes, but is not limited to, race, ethnic background, national origin, gender, sexual orientation/identity, religion, economic status, age, cultural group, or any other identifiable characteristics. (CALEA Definition)

**Certified Civilian:** A member of the Community Service Technician Program who successfully completed CJSTC 1133 Selective Traffic Enforcement Program for Civilians.

**Dismissal:** The act of cancelling a Florida Uniform Traffic Citation or Parking Summons after its issuance.

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**Florida Uniform Traffic Citation:** The official form issued or approved by the State of Florida for use by law enforcement officers to charge persons with a traffic law violation.

**Good Cause:** The term used to designate the threshold needed for avoidance or dismissal of a Florida Uniform Traffic Citation (e.g., citation printer malfunction, error on handwritten citation).

**High-Risk Traffic Stop:** A traffic stop where officers employ extra officer safety protocols due to an increased risk based upon information known or suspected about any of the vehicle occupants (e.g., wanted for the commission of a felony, known to be armed or violent).

**Marked Police Vehicle:** A Department vehicle outfitted with special designs or patterns indicative of a police vehicle, and equipped with emergency lights and siren.

**Shall:** Indicates the described action is mandatory.

**Should:** Indicates the described action is not mandatory but preferred.

**Traffic Stop:** The lawful detention of a driver for the purpose of investigating a traffic or criminal violation or suspicious activity, generally accomplished through the use of a police vehicle's emergency lights and, when warranted, siren.

**Unmarked Police Vehicle:** A Department vehicle not outfitted with special designs or patterns indicative of a police vehicle, but equipped with emergency lights and a siren.

**Voidance:** The act of cancelling a completed or partially completed Florida Uniform Traffic Citation or Parking Summons prior to its issuance, or the act of cancelling a lost or stolen citation or summons.

## PROCEDURES

### I. TRAFFIC ENFORCEMENT – GENERAL GUIDELINES

- A. Only sworn members and certified civilians are authorized to enforce traffic law violations.
  - 1. A plainclothes member operating an unmarked police vehicle shall not conduct a traffic stop unless the actions of the driver are a clear danger to others and no marked police vehicle is readily available.
  - 2. A uniformed member operating an unmarked police vehicle may

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conduct traffic stops.

3. A certified civilian may not conduct traffic stops but may:
  - a. Issue non-criminal citations if he/she has reasonable and probable grounds to believe that a person involved in a traffic crash investigation committed an offense under Florida State Statute chapters 316, 320, or 322 in connection with that crash.
  - b. Issue parking citations.
  - c. Seek assistance from a sworn member if he/she has reasonable and probable grounds to believe that a person committed a criminal traffic violation.
- B. The detention of a vehicle passenger is lawful and authorized when the passenger is the focus of a traffic violation, is reasonably believed to have committed, be committing, or preparing to commit a criminal violation, or when other legal authority exists.
- C. Officers are responsible for adhering to the traffic stop procedures in Appendix One of this written directive in conducting unknown risk or high-risk traffic stops.
- D. Enforcement actions available to a member incidental to a *non-criminal* traffic law violation include the following:
  1. Citation,
  2. Written warning, or
  3. Verbal warning.
- E. Enforcement actions available to a sworn member incidental to a *criminal* traffic law violation include the following:
  1. Physical arrest, or
  2. Citation issuance (except for a felony violation or a violation of FS 316.193).
- F. When a sworn member makes a physical arrest of a person for a criminal traffic law violation, the sworn member is responsible for the completion of a Florida Uniform Traffic Citation (UTC) for the criminal charge.

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- G. Reasonable judgment and appropriate discretion are required of members in deciding the appropriate enforcement action for the person stopped for a traffic law violation, and:
1. Members should issue a UTC whenever probable cause exists that a moving, non-moving, pedestrian or bicycle infraction has occurred,
  2. Members shall not take any traffic enforcement action based upon biased policing, and
  3. Members have no authority to arrest a person for a moving, non-moving, pedestrian or bicycle infraction.
- H. In their interactions with persons during traffic stops, members shall adhere to the applicable protocols in General Order 46 (Rules of Conduct):
1. Work Standards (Procedure II), and
  2. Fair and Impartial Policing (Appendix Two).
- I. When an enforcement action against a person is likely to bring about public inquiry because of who the person is (and the involved member is aware of that possibility), the member shall promptly notify their immediate supervisor.
1. The supervisor shall promptly notify the Watch Commander, and the Watch Commander shall notify the chain of command as directed.
  2. The following are examples of persons who would likely bring about a public inquiry: notable city, state and federal government employees, elected officials, community leaders, foreign diplomats and consular officials, local news media members, active-duty military personnel, local collegiate sports players and student leaders, and leaders of local business and industry.
  3. In situations where the member is engaged in secondary employment, or their immediate supervisor (or acting supervisor) is not available, the member shall make prompt notification to the Watch Commander.

## II. ARREST PROCEDURES

- A. Sworn members are authorized to arrest persons who violate misdemeanor and felony traffic laws.

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B. A supervisor shall be contacted, and permission obtained prior to any arrest or incarceration of a person for a violation of the following offenses:

1. Refusal to sign and accept a UTC (FS 318.14 [3]), and
2. Willfully failing or refusing to comply with any lawful order or direction of any police officer (FS 316.072 [3]).

### III. CITATION PROCEDURES – GENERAL

A. Prior to the issuance of a UTC the member should allow the person the opportunity to communicate reasonable mitigating circumstances for the traffic law violation.

B. In the event multiple violations are charged, each violation shall be issued on separate UTCs.

C. Members shall complete a UTC in a manner consistent with Department-authorized training.

D. Unless prevented from doing so for some legitimate reason, members are responsible for the following when issuing UTCs:

1. Providing the person the appropriate court date information (specific date or a specific number of days before contact with the court is required),
2. Advising the person if court appearance is required or optional,
3. Explaining the options, if applicable, available to the person (court appearance, attend traffic school, or pay the fine),
4. Ensuring the fine amount is noted in the appropriate section on the UTC,
5. Ensuring the address and phone number for the Leon County Traffic Court is noted in the appropriate section on the UTC,
6. Ensuring the information annotated on the UTC is clear and legible, written in black ink or printed out utilizing a Department issued printer, and
7. Ensuring a court information sheet is completed as required:

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- a. Criminal UTCs (affirmed and notarized), and
  - b. Civil or criminal UTCs in traffic crashes.
- E. Unless directed or allowed to do otherwise by an immediate supervisor, members shall complete and upload the appropriate data for any issued UTCs or parking citations into the Department-authorized computer software system by the end of their work shift.
- F. The Department-authorized computer software system is TRACS (Traffic and Criminal Software). The software shall be used for UTC, parking citations, traffic crashes, towing, DUI citations, and DUI Implied Consent forms.
- G. Members engaged in secondary employment and needing to deliver/upload an issued UTC are not relieved of the responsibility to do so in a timely manner, and members may:
- 1. Request the assistance of an on-duty officer/supervisor to collect the UTC, or
  - 2. Request permission from an on-duty supervisor to delay submittal/downloading for a reasonable amount of time.

#### **IV. CITATION PROCEDURES – TRAFFIC CRASH**

- A. A member investigating a traffic crash and finding sufficient evidence or probable cause to show a driver has violated any part of FS 316, 320, or 322, is authorized to issue a UTC for the violation.
- B. A member finding sufficient evidence or probable cause to show a driver at fault in a traffic crash should issue the driver a UTC showing fault (also see V B below).

#### **V. WARNING PROCEDURES**

- A. Warnings may be issued in lieu of a UTC, based upon member discretion, and:
  - 1. The existence of exigent circumstances, or
  - 2. When a warning is sufficient to correct the violation.
- B. Warnings should not be given in lieu of a UTC as a part of a traffic crash

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investigation when sufficient evidence or probable cause exists to show a driver at fault.

### **VI. SPECIAL CIRCUMSTANCES – PERSONS**

Members shall adhere to the following protocols for handling traffic law violations committed by the classes of persons listed below:

A. Nonresidents of the City of Tallahassee are not provided immunity from receiving enforcement action for a traffic law violation.

B. Juveniles

1. Persons under the age of 18 can be issued a UTC in the same manner as adults.
2. A juvenile arrested for a criminal traffic law violation shall be transported to the Juvenile Assessment Center.
3. When a juvenile is issued a moving violation UTC or arrested for a criminal traffic violation, the involved member should contact (or make reasonable attempts to contact) the juvenile's parent or guardian and inform them of the situation.

C. Legislators and other elected officials

1. Legislators and other state and local elected officials are not provided immunity from receiving enforcement action for a traffic law violation.
2. Members of the United States Senate and House of Representatives are not provided immunity from receiving enforcement action for a traffic law violation; however, they cannot be detained or issued a UTC for a traffic law violation while enroute to a session of Congress in Washington, D.C.

D. Foreign diplomats and consular officials

1. Diplomatic immunity is not applicable to persons who commit traffic law infractions.
2. When interacting with diplomatic officers and certain persons associated with diplomatic officers during traffic enforcement situations, members shall be mindful of and abide by the following:
  - a. Diplomatic immunity is a principle of international law granting



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freedom from local jurisdiction detention, search, arrest, prosecution and incarceration afforded to duly accredited diplomatic officers, and certain persons associated with the diplomatic officer.

- b. In accordance with international agreements, diplomatic officers, and persons identified below, *who are not nationals of or permanently residing in the United States*, are protected by unlimited immunity from arrest, detention, search and prosecution with respect to any civil or criminal offense:
  - 1) Members forming part of the household of the diplomatic officer (i.e., spouses, children until the age of 21 [until 23 if they are a full-time student at an institution of higher learning], and such other persons expressly agreed to by the U.S. Department of State).
  - 2) Members of administrative and technical staff (i.e., persons who perform tasks critical to the inner workings of an embassy).
- c. Diplomatic officers are defined as Ambassador, Minister, Minister Counselor, Counselor, First Secretary, Second Secretary, Third Secretary and Attaché.
- d. Consular officers such as Consuls General, Deputy Consuls General, and Vice Consuls are not subject to detention, search or arrest except in the case of a felony, and only pursuant to a warrant.
- e. Family members of a consular officer do not have diplomatic immunity.
- f. In instances where probable cause exists to arrest a person for a criminal traffic law violation, but the person has diplomatic immunity preventing such action, the member shall complete the appropriate Department report documenting the incident:
  - 1) Traffic crash report – traffic crash, or
  - 2) Offense report – DUI and other criminal traffic law violations.
- g. The United States State Department should be notified whenever a person afforded diplomatic immunity is suspected of committing any criminal act. Contact with foreign diplomats may be reported

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to the Bureau of Diplomatic Security Command Center at (571) 345-3146.

- h. Officers should consult the *Law Enforcement Aspects Summary of the Diplomatic/Consular Immunity: Guidance for Law Enforcement* for more detailed information on diplomatic and consular privileges and immunities:

[Diplomatic and Consular Immunity: Guidance for Law Enforcement and Judicial Authorities](#)

### E. Military personnel

1. Active military personnel are not provided immunity from receiving enforcement action for a traffic law violation.
2. Military vehicles involved in active deployments, such as convoys, should not be stopped or detained unless public safety hazards necessitate such action.

## VII. SPECIAL CIRCUMSTANCES – LOCATIONS

Members shall adhere to the following protocols for handling traffic law violations committed on public and private property:

### A. Public property

Members may issue UTCs on all public property within the Department's jurisdiction.

### B. Private property

1. Members may issue UTCs on private property within the Department's jurisdiction where the public has authorized admittance and routine access.
2. Members are not authorized to issue UTCs for non-criminal offenses occurring on private property within a gated community unless the community has entered into an agreement with the City of Tallahassee to conduct traffic enforcement within the gated community.

### C. Interstate 10 (State Road 8)

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1. Members shall not routinely conduct traffic enforcement upon Interstate 10.
2. The Chief of Police or designee may authorize traffic enforcement upon Interstate 10 during joint agency operations or under specific limited conditions which may be required for public safety or criminal interdiction operations.
3. Members may conduct traffic enforcement upon Interstate 10 when such enforcement action is necessary for public safety.

### **VIII. SPECIAL CIRCUMSTANCES – VIOLATIONS**

Members are responsible for adhering to statutory and policy guidelines in the enforcement of all traffic law violations, using a combination of their training, experience, and common sense in enforcement decisions, and being mindful of special circumstances involved with the enforcement of some statutes such as:

#### A. Driving while license suspended or revoked

Be mindful of the driver's knowledge mandates set forth in FS 322.34.

#### B. Moving violations

1. Recognize the enhanced penalties for school zone and work zone violations, and if utilizing a speed measuring device, ensure compliance with General Order 13 (Traffic Enforcement Measuring Devices).
2. Be mindful of the statutory distinctions between careless driving, a traffic infraction, and reckless driving, a crime.

#### C. Non-moving violations

1. Equipment violations: FS 316.610 authorizes a member to conduct roadside safety checks when they have reasonable cause to believe a vehicle is unsafe or not equipped as required by law.
2. Tag and registration violations: Be cognizant of the statutory distinctions between traffic infractions and criminal offenses outlined in FS 320.07.

#### D. All-terrain vehicle operations

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With few exceptions (e.g., law enforcement operations), all-terrain vehicles are prohibited upon a public roadway, and a driver of such a vehicle may be issued a UTC for a traffic law violation.

### E. Golf cart operations

With specific exceptions cited in FS, golf carts are only allowed to operate on roadways designated for use by golf carts, and a driver of such a vehicle may be issued a UTC for a traffic law violation.

### F. Public carrier and commercial vehicle operations

1. FS 316.302 mandates owners and drivers of commercial motor vehicles operated on Florida public highways abide by Title 49 of the United States Code of Federal Regulations (CFR), and members may issue UTCs for traffic law violations by commercial motor vehicle drivers.
2. Members may contact the Florida Highway Patrol for assistance and enforcement guidance of Federal Motor Carrier Safety Regulations.

### G. Multiple violations occurring in one incident

When warranted, members are authorized to issue multiple UTCs to a driver in a traffic stop or crash investigation, but this authorization does not negate the obligation to use reasonable judgment and appropriate discretion concerning the issuance of UTCs for violations in such situations.

### H. Newly enacted laws or regulations

1. Members are authorized to take enforcement action for newly enacted statutes and traffic regulations but shall use reasonable judgment and appropriate discretion concerning the issuance of UTCs for violations in such situations.
2. This is especially true when the prohibited action was once customary (e.g., new traffic signs prohibiting a “right turn on red” at an intersection where such vehicle movement was once the norm).

### I. Pedestrian violations

FS 316.130 requires pedestrians to obey the instructions of any official traffic control device specifically applicable to the pedestrian unless

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otherwise directed by a police officer, and members are authorized to issue UTCs to pedestrians as warranted.

### J. Bicycle violations

1. FS 316.2065 states a person operating a bicycle has all of the rights and duties of a motor vehicle driver except for those rights and duties which by their nature have no application, and bicyclists must obey special regulations only applicable to bicycles.
2. Members are authorized to issue UTCs to bicyclists as warranted.

### K. Seat belt and child restraint violations

Members encountering a driver who has violated the statutory requirements of seat belt usage or child restraint requirements are strongly encouraged to issue a UTC.

### L. Motorcycle violations

Members encountering a motorcycle driver who has violated the statutory requirements of operator licensing or protective equipment are strongly encouraged to issue a UTC.

### M. Florida's White Cane Law

FS 316.1301 states whenever a pedestrian is crossing, or attempting to cross, a public street or highway, guided by a dog guide or carrying in a raised or extended position a cane or walking stick which is white in color or white tipped with red, the driver of every vehicle approaching the intersection or place where the pedestrian is attempting to cross shall bring his or her vehicle to a full stop before arriving at such intersection or place of crossing and, before proceeding, shall take such precautions as may be necessary to avoid injuring such pedestrian.

## IX. TRAFFIC ENFORCEMENT PRACTICES

To achieve the Department's goal of reducing the number of traffic crashes within its jurisdiction, members assigned traffic enforcement tasks should utilize established traffic enforcement practices to include, but not necessarily limited to the following:

### A. Visible traffic patrol

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1. Area – Traffic assignments included within existing patrol zones or special geographic boundaries for the purpose of increasing visibility, voluntary compliance, or enforcement activities. May or may not be a directed patrol.
2. Line – Traffic assignments along specific roadways or around designated intersections for the purpose of increasing visibility, voluntary compliance, or enforcement activities. May or may not be a directed patrol.
3. Directed (DP) – Traffic assignments, either area or line, designed to address a specific traffic problem, and typically based upon citizen input, member observation, or traffic crash data showing a need for increased traffic patrol coverage for the purpose of increasing visibility, voluntary compliance, or enforcement activities.

The member in charge of the DP shall ensure:

- a. The DP operation plan is documented on the appropriate form and approved through their chain of command before implementing the plan.
- b. A copy of the DP operation plan is provided (prior to implementation) to the watch commander and the CDA shift supervisor scheduled to be on duty during the time of the operation.
- c. The after-action portion of the DP operation plan is completed and forwarded to the appropriate Patrol Operations administrative lieutenant in a timely manner.

### B. Stationary observation

1. Overt – Placement of a marked police vehicle at a location where the vehicle can be seen by drivers, with or without the intention of conducting traffic enforcement.
2. Covert – Placement of a marked police vehicle at a location where the vehicle cannot be seen by drivers, with or without the intention of conducting traffic enforcement.

### C. Use of unmarked police vehicles

1. Unmarked police vehicles may be used for traffic enforcement efforts when authorized by a bureau commander or designee.

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2. Any sworn member in the vehicle shall be dressed in conspicuous Department issued or authorized attire clearly identifying them as a police officer.

### D. Use of other vehicles and equipment

1. Department-owned vehicles without emergency lights or siren, or patterns or designs indicative of a police vehicle (e.g., DP vehicles) may be used to supplement traffic enforcement efforts, but shall not be utilized for conducting a traffic stop unless:
  - a. The observed violation is of a life-threatening nature, and
  - b. The maneuver necessary to affect the stop can be made in a reasonably safe manner.
2. The Department's SMART (Speed Measuring and Recording Trailer) apparatuses may be utilized to increase drivers' traffic awareness and supplement traffic enforcement efforts, and they shall be deployed as mandated in OSB-2 (Traffic/Traffic Homicide Unit).

### E. Traffic safety/DUI checkpoints

Traffic safety/DUI checkpoints may be used for traffic enforcement efforts when authorized by the Chief of Police or designee, and the checkpoints:

1. Shall be coordinated by the Operational Support Bureau in the manner described in OSB-2, and
2. May or may not be conducted in conjunction with other law enforcement agencies.

## X. **BIASED POLICING – TRAINING & ADMINISTRATIVE REVIEW**

- A. In the on-going effort to prevent biased policing by members, the Training Section is responsible for providing training to members on the contemporary issues and legal aspects of biased policing.
- B. The Internal Affairs Unit is responsible for conducting an annual administrative review of agency practices to ensure compliance with this directive and to identify any citizen concerns.

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- C. Sergeants are responsible for reviewing their members' practices and disposition coding data to ensure their traffic enforcement actions comply with this written directive.

### **XI. REFERRALS FOR DRIVER RE-EXAMINATION**

- A. Members identifying a person requiring driver's license re-examination because of a traffic crash shall indicate the reasons for recommending re-examination in the narrative of the Traffic Crash Report.
- B. Members identifying a person requiring driver's license re-examination for reasons other than a traffic crash shall contact the Department of Highway Safety and Motor Vehicles (DHSMV), Bureau of Driver Improvement, and make a written request for re-examination.

### **XII. ISSUANCE OF CITATION NUMBERS TO MEMBERS**

#### UTCs

- A. Individual citation numbers are issued by DHSMV and provided to the Department via the Digital Systems Administrator (DSA) of the City of Tallahassee's Public Safety Systems Division (PSSD).
- B. Citation numbers are issued through the Department-authorized computer software system.
- C. The DSA is responsible for maintaining the list/inventory of the numbers received from DHSMV and issued to members through the Department-authorized computer software system.
- D. The DSA monitors the number of UTC and DHSMV numbers the agency has and will request more from the Clerk of Court or DHSMV as needed. The member should contact the DSA if the Department-authorized computer software system indicates there are no more available.

### **XIII. MEMBER RESPONSIBILITY - TRAFFIC CITATIONS**

- A. Members are accountable for all UTCs issued to them. Members shall not delete an electronic UTC after a citation number has been issued.
- B. In the event a UTC is created in error or failed to transmit in the Department-authorized computer software system, the following procedures shall be adhered to:



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1. The responsible member shall complete the applicable sections of the Citation/Summons Disposition Form (PD 422) and submit it to their immediate supervisor.
  2. The supervisor shall review and approve the PD 422 to void the affected UTC(s) and forward it to appropriate the lieutenant for final approval.
  3. The member's chain of command will determine if reimbursement by the member is warranted.
  4. The member's supervisor is responsible for providing the PD 422 to the Records Section supervisor.
- C. Members with paper UTCs which predate the Department-authorized computer software system shall follow the procedure outlined in B above.
- D. Members leaving Department employment shall return their unused paper UTCs to the Records Section, along with a completed PD 422.

### **XIV. VOIDANCE OF A TRAFFIC CITATION**

- A. Members may void a UTC for good cause (e.g., printer malfunction, written error).
- B. When a member needs to void a UTC, the following protocols shall be adhered to:
1. Complete the appropriate sections of the Citation/Summons Disposition Form (PD 422) indicating the reason for the voidance (e.g., technical error, damaged/illegible),
  2. Write "VOID" across a copy of the UTC, and attach it to the PD 422,
  3. Provide the forms to the immediate supervisor for review and approval, and
  4. Forward the forms to the Records Section.

### **XV. DISMISSAL OF A TRAFFIC CITATION**

- A. After a UTC is issued to a driver, members must follow established statutory protocols to dismiss the UTC.

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- B. Members may dismiss a UTC for good cause, and in these instances the following protocols shall be adhered to:
1. Complete the appropriate sections of the Citation/Summons Disposition Form (PD 422) indicating the reason for the dismissal request.
  2. Attach a copy of the UTC to the PD 422.
  3. Provide the forms to the immediate supervisor for review and approval/disapproval, up to and including the appropriate bureau commander.
  4. If the request is denied, the supervisor/commander shall make the appropriate notations on the PD 422 and return the forms to the requesting member.
  5. If the request is approved, the supervisor/commander shall make the appropriate notations on the PD 422, and ensure:
    - a. The original PD 422 (with UTC copy attached) is provided to the Traffic Division of the Leon County Clerk of the Court.
    - b. A copy of the PD 422 (with UTC copy attached) is provided to the Records Section.
    - c. The driver is informed of the request to the court to dismiss the UTC.
  6. Regardless of the dismissal request, the issuing member is responsible for appearing at any court hearing regarding the charges – having been duly subpoenaed to appear – until properly excused by the court.
- C. When a request to dismiss a UTC is made, supervisors shall ensure the reason is for good cause, and the member follows established protocols.
- D. If the issuing member desires to dismiss a UTC, but is unable to do so, the member's supervisor may request dismissal on behalf of the member.
- E. The Chief of Police may petition the court as a representative of the Department to dismiss or nolle prosequi, for good cause, any UTC issued by a member, and the petition shall include an affidavit explaining the reason(s) for the request.

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### **XVI. TRANSMITTING TRAFFIC ENFORCEMENT DATA TO DHSMV**

- A. The Department is responsible for ensuring traffic enforcement data (i.e., uniform traffic citations) is transmitted to DHSMV.
- B. The Department transmits electronic uniform traffic citation (UTC) data to the Leon County Traffic Court which (after processing the information for judicial purposes) transmits the data to the DHSMV.
- C. Members shall ensure UTCs are transmitted in the Department-authorized computer software system by the end of their shift.

### **XVII. ISSUANCE OF PARKING CITATIONS TO MEMBERS**

Members are electronically issued parking citations through the Department-authorized computer software system.

### **XVIII. PARKING ENFORCEMENT – GENERAL GUIDELINES**

- A. All sworn members and Community Service Technicians are authorized to enforce parking violations.
- B. Enforcement actions available to members incidental to a parking violation include the following:
  - 1. Warning to the driver,
  - 2. Parking citation to the driver, or
  - 3. Parking citation attached to the unattended vehicle.
- C. Members shall not take any parking enforcement action based upon biased policing.
- D. Diplomatic immunity is not applicable to the issuance of a citations for a parking violation.
- E. Sworn members have no authority to arrest a person for a parking violation.
- F. The Chief of Police is authorized to assign or appoint other persons to issue parking citations for parking violations, but such persons are only authorized to attach a parking citation to an unattended vehicle.

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- G. Members shall use reasonable judgment and appropriate discretion concerning the enforcement of parking regulations, and be especially mindful of violations:
  - 1. Constituting a traffic hazard,
  - 2. Occurring during times of heavy traffic congestion,
  - 3. In tow-away zones, and
  - 4. In metered spaces within a business district.
- H. Members are authorized to issue parking citations for parking violations codified in Florida Statutes.
- I. Sworn members are authorized to issue a UTC for parking violations codified in Florida Statutes, however:
  - 1. Members are strongly encouraged to issue parking citations for all parking violations,
  - 2. A UTC cannot be utilized for a city or county parking violation, and
  - 3. A UTC cannot be left on an unattended vehicle.
- J. Unless directed to do otherwise by an immediate supervisor, members shall upload the appropriate data for any issued parking citation into the Department-authorized computer software system by the end of their shift.
- K. Members shall use the Department-authorized computer software system to issue parking citations. The usage of the PD 157 is no longer authorized.

### **XIX. PARKING CITATIONS – MEMBER RESPONSIBILITY**

- A. Members are accountable for all PD 157s issued to them and electronic parking citations generated by them.
- B. If a member is in possession of a PD 157, which predated the Department-authorized computer software system, the member shall return the PD 157 to Records along with a completed PD 422.
- C. Members leaving Department employment shall return their unused PD 157s to Records, along with a completed PD 422.

**XX. VOIDANCE OF A PARKING SUMMONS**

- A. Members may void a parking citation for good cause.
- B. When a member needs to void a parking citation, the following protocols shall be adhered to:
  - 1. Complete the appropriate sections of the Citation/Summons Disposition Form (PD 422) indicating the reason for the voidance (e.g., technical error, damaged/illegible).
  - 2. Write "VOID" across a copy of the parking citation and attach it to the PD 422.
  - 3. Provide the forms to the immediate supervisor for review and approval.
  - 4. Forward the forms to Records for processing and forwarding to the City of Tallahassee.

**XXI. DISMISSAL OF A PARKING CITATIONS**

- A. Members may dismiss a parking citation for good cause.
- B. When a member needs to dismiss a parking citation, the following protocols shall be adhered to:
  - 1. Complete the appropriate sections of the Citation/Summons Disposition Form (PD 422) indicating the reason for the dismissal request.
  - 2. Attach a copy of the parking citation to the PD 422.
  - 3. Provide the forms to the immediate supervisor for review and approval/disapproval.
  - 4. If the request is denied, the supervisor shall make the appropriate notations on the PD 422 and return the forms to the requesting member.
  - 5. If the request is approved, the supervisor shall make the appropriate notations on the PD 422, and ensure:

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- a. The original PD 422 (with copy of parking citation attached) is provided to Records for processing and forwarding to the City of Tallahassee.
  - b. The affected citizen is informed of the parking citation dismissal.
- B. When a request to dismiss a parking citation is made, the supervisor shall ensure the reason is for good cause, and the member follows established protocols.
- C. If the issuing member desires to dismiss a parking citation, but is unable to do so, the member's supervisor may request dismissal on behalf of the member.

history: issued – 03/07/2013, revised – 12/04/2013, 04/08/2014, 04/15/2015, 09/16/2016, and 07/05/2017.

GENERAL ORDER 76 – TRAFFIC & PARKING ENFORCEMENT  
APPENDIX ONE

TRAFFIC STOP PROCEDURES

I. UNKNOWN RISK TRAFFIC STOPS

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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## II. HIGH-RISK TRAFFIC STOPS

[REDACTED]

[REDACTED]



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