

Traffic

Effective Date:	11/13/2024
Revised Date:	
Issuing Authority: Chief Dustin Liston	

500.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for improving public safety through education and enforcement of traffic-related laws.

500.2 POLICY

It is the policy of the Iowa City Police Department to educate the public on traffic-related issues and to enforce traffic laws. The efforts of the Department will be driven by such factors as the location and/or number of traffic accidents, community complaints, traffic volume, traffic conditions and other traffic-related needs. The ultimate goals of traffic law enforcement and education are to increase public safety and reduce the number and severity of vehicle crashes.

500.3 DEPLOYMENT

Enforcement efforts may include such techniques as geographic/temporal assignment of department members and equipment, the establishment of preventive patrols to deal with specific categories of unlawful driving and a variety of educational activities. These activities should incorporate methods that are suitable to the situation; timed to events, seasons, past traffic problems or locations; and, whenever practicable, preceded by enforcement activities.

Several factors will be considered in the development of deployment schedules for department members. State and local data on traffic crashes are a valuable resource. Factors for analysis include, but are not limited to:

- Location.
- Time.
- Day.
- Violation factors.
- Requests from the public.
- Construction zones.
- School zones.
- Special events.

Traffic

Department members assigned to uniformed patrol or traffic enforcement functions will emphasize the enforcement of violations that contribute to traffic crashes, and also will consider the hours and locations where traffic crashes tend to occur. Members will take directed enforcement action on request, and random enforcement action when appropriate. Members shall maintain high visibility while working general enforcement, especially in areas where traffic accidents 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 (Iowa Code § 321.492A). The number of arrests or citations issued by any member shall not be used as the sole criterion for evaluating member overall performance.

Several methods are effective in the reduction of traffic accidents.

500.4.1 WARNINGS

Warnings are a non-punitive option that may be considered by the member when circumstances warrant, such as when a minor violation was inadvertent.

500.4.2 CITATIONS

Citations should be issued when a member 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:

- (a) An explanation of the violation or charge.
- (b) The court appearance procedure, including the date, time and location of the court and the optional or mandatory appearance by the motorist.
- (c) A notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

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:

- (a) Homicide by vehicle (Iowa Code § 707.6A).
- (b) Felony and misdemeanor operating while intoxicated (OWI) of alcohol or drugs (Iowa Code § 321J.2).
- (c) Felony or misdemeanor hit-and-run (Iowa Code § 321.261; Iowa Code § 321.262).
- (d) Refusal to sign a notice to appear (Iowa Code § 321.485).
- (e) Reckless driving (Iowa Code § 321.277).
- (f) Eluding or attempting to elude a pursuing law enforcement vehicle (Iowa Code § 321.279).

Traffic

- (g) Any other serious or aggravated misdemeanor at the discretion of the officer (Iowa Code § 321.485).

500.4.4 SPECIAL TREATMENT AND/OR EXEMPTION/IMMUNITY

While engaged in traffic enforcement, officers may encounter persons who are at times granted special treatment and/or exemptions to laws. Appendix II lists these situations and offers guidelines to assist officers in determining the appropriate course of action when encountering these situations. (See attachment: Appendix I.pdf)

500.5 RADAR/LIDAR MAINTENANCE AND USE

Officers may use only those speed measuring devices approved by the Department and in which the individual officer has been trained and, where applicable, certified. Officers shall set up and use speed measuring devices in a manner which is consistent with their training and the manufacturer's specifications. Prior to the use of a speed measuring device, the officer shall check the equipment according to the manufacturer's specifications. If any discrepancy exists, the officer shall not use the equipment and report the discrepancy on the Vehicle Inventory form.

It is the responsibility of all officers to see that the attached speed measuring devices are properly cared for. The Commander of Support Services or his/her designee will see that all equipment is maintained and calibrated according to the manufacturer's specifications and will maintain the records for the duration of the lifetime of the speed measuring device with the Department plus two years.

500.6 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 or make an arrest as appropriate.

500.7 HIGH-VISIBILITY VESTS

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

500.7.1 REQUIRED USE

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 department member or when the member will be exposed to the hazards of passing traffic or will be maneuvering or operating vehicles, machinery and equipment.

Examples of when high-visibility vests should be worn include traffic control duties, traffic accident investigations, lane closures and disaster scenes.

When emergency conditions preclude the immediate donning of the vest, members should retrieve and wear the vest as soon as conditions reasonably permit.

Use of the vests shall also be mandatory when directed by a supervisor.

Iowa City Police Department

Policy Manual

Traffic

500.7.2 CARE AND STORAGE

Officers are responsible for the storage, maintenance, and care of their high-visibility vest. A supply of high-visibility vests will be maintained and made available for replacement of damaged or unserviceable vests. The Commander of Support Services should be promptly notified whenever the supply of vests needs replenishing.

Attachments

Appendix I.pdf

APPENDIX I – Guidelines Regarding Special Treatment and/or Exemption/Immunity

While engaged in traffic enforcement, officers may encounter persons who are at times granted exemptions to laws. When encountering these situations officers may follow these guidelines or if still unsure of the appropriate action, should contact a watch supervisor for further guidance.

1. Legislators are granted limited immunity from prosecution under Chapter 3 of the Iowa Constitution which states "Privileged from arrest. SEC. 11. Senators and representatives, in all cases, except treason, felony, or breach of the peace, shall be privileged from arrest during the session of the general assembly, and in going to and returning from the same."
2. Members of the National Guard are regulated under chapter 29A.41 of the code of Iowa. The code states," A member of the national guard shall not be arrested, or served with a summons, order, warrant or other civil process after having been ordered to any duty, or while going to, attending, or returning from, any place to which the officer or enlisted person is required to go for military duty. This section does not prevent the officer's or enlisted person's arrest by order of a military officer or for a felony or breach of the peace committed while not in the actual performance of the officer's or enlisted person's duty." Other members of the military, including members of the Army, Air Force, Navy, Marine Corps, Coast Guard, and reservists who are on active duties are likewise granted limited protection. When an occasion arises that requires the issuance of a traffic citation, a physical arrest or investigation of a motor vehicle crash involving a member of the armed services who is operating under conditions which offer this limited protection, the officer will notify a watch supervisor of the circumstance surrounding the incident. The watch supervisor will contact the office of the commanding officer of the military member involved and advise them of the incident.
3. Foreign diplomats and consular officials may be granted immunity. In these cases, the officer should advise the person of the nature of the stop and make a determination as to if the person is able to safely continue on their way. In instances where the ability of the operator of the vehicle is in doubt the officer should take steps to insure the person safely gets to their destination. These steps may include but are not limited to; locating another driver, contacting a cab, or contacting the consulate of the person involved or the United States Department of State for further assistance.
4. Foreign nationals are subject to the laws of the State of Iowa, however there may be consular notification requirements. If a foreign national is stopped for a traffic violation, or is involved in a motor vehicle crash which requires no special investigation, there are no notification requirements. If a foreign national is physically arrested or detained for a substantial period of time there may be notification requirements. In these circumstances, refer to the Consular Notification and Access booklet in the watch commander's office for guidance.
5. Juveniles may be issued citations for traffic violations without notification of their parents. In instances where a juvenile is being taken into custody the applicable

juvenile procedures should be followed. If a juvenile is arrested for OWI, the officer shall attempt to contact the parent(s) or other responsible adult prior to initiating Implied Consent.

6. Non-Iowa residents will be treated the same as Iowa residents with regard to the issuance of traffic citations. In instances where an officer has an articulable reason for believing that a person is unlikely to appear for the scheduled court appearance, the officer may require that a cash bond be posted or the person may be taken before the nearest magistrate for arraignment. The Iowa City Police Department encourages the practice of cite and release whenever possible.