



SYKESVILLE POLICE DEPARTMENT

Traffic Related Services

General Order 6-34 Effective: 09/06/17

Authorized by: *Michael A. Spaulding* Chief of Police

I. PURPOSE

To provide the procedures for providing traffic related services to the motoring public.

II. POLICY

The Sykesville Police Department shall establish guidelines for activities having an indirect effect on traffic flow and responses to citizen generated requests for assistance (general/emergency), providing public information and directions, identifying and reporting roadway and roadside hazards, checking abandoned vehicles, and locating and recovering stolen vehicles.

III. PROCEDURES

A. General Assistance to Motorists

1. Due to the inherent dangers of being stranded on a roadway, the Sykesville Police Department will offer reasonable assistance at all times to the motorist who appears to be in need of aid. This will apply at all hours of the day, but particularly during nighttime hours when hazards are greater.
2. Officers should be constantly alert for motorists who appear to need assistance. Officers should freely provide information and directions upon request. In an effort to better serve the citizens, officers should become familiar with the roadways and services provided by the community.

B. Tow Service

1. Tow services will be initiated at a vehicle owner's request and will be called to tow vehicles for this Agency.
 - a. If a vehicle is towed at the owner's/driver's request, the Communications Center will be notified by the officer of the name of the tow service requested. In such cases where the owner/driver is on the scene and has made such a request, no report is necessary except for a Call for Service, as indicated below.
 - b. Tow companies located within a respective patrol area should be utilized. In areas where two or more tow companies are in close proximity to each other, they will be called on a rotating basis.

c. A Call for Service will be entered into the RMS indicating the reason for the tow (i.e., Disabled Motorist, Assist Motorist, etc.) as well as a notation indicating the following:

- (1) Location
- (2) Vehicle tag number
- (3) Owner/Operator's name
- (3) Tow company

2. As a general rule, officers will not provide or attempt any mechanical assistance or repairs to a disabled vehicle.

C. Stranded Motorists

Many occasions present themselves that call for the immediate removal of a disabled vehicle from a traveled highway so further traffic problems and/or the possibility of a serious collision may be diminished.

1. Officers may, at their discretion, transport stranded motorists to the nearest convenient location where assistance may be obtained; however officers should be certain that assistance is available. When transporting stranded motorists, officers should give the dispatcher their starting and ending mileage, particularly in the case of female or juvenile motorists.
2. Stranded motorists should not be abandoned when exposed to a hazardous situation. Consideration should be given to traffic hazards, location, time of day, weather conditions, and priority of calls for service. This does not preclude placing devices to warn oncoming traffic and clearing the scene if conditions are such that this can be done safely. Officers should periodically check to ensure the condition does not deteriorate.
3. Officers who assist stranded motorists should remain alert to the following possibilities: That the vehicle may be in the possession of a motorist not authorized to use it; the vehicle is in an unsafe operating condition; the motorist is not licensed to drive; the motorist is incapable of safely operating the vehicle; and/or the vehicles occupants have engaged in criminal activity.
4. Officers may provide assistance to motorists in obtaining tow services, if needed, as outlined above.
5. A Call for Service will be entered into the RMS indicating the actions taken and all other pertinent information.

D. Emergency Assistance

1. Officers will render all practical assistance to users of the roadway who are involved in emergency situations.
2. Vehicle fires - Officers will immediately advise the dispatcher upon discovery of a vehicle fire. The location, type of vehicle, location of fire, and cargo (if applicable) will be given to the dispatcher. The dispatcher will notify the fire department of these facts so an appropriate EMS response can be made.
3. Medical Emergencies
 - a. Notification - Upon discovery of a medical emergency, the officer will request appropriate EMS response. When requesting emergency equipment the following information will be given to the dispatcher: type of emergency, location, condition of patient, and any other information available regarding the emergency.
 - b. Assistance - After notifying the dispatcher of the nature of the emergency, officers will render first aid assistance as necessary and in accordance with their level of training.
 - c. Officers will not provide an emergency escort to a civilian vehicle in a medical emergency unless approved by the on-duty Supervisor.
4. A Call for Service will be entered into the RMS indicating the pertinent details of the incident and any actions taken by the officer.

E. Escorts

1. Officers will not initiate emergency escorts.
2. Emergency vehicles, particularly ambulances, will not be escorted by officers except under special circumstances. Two emergency vehicles traveling together more than double the hazard to traffic.
3. Scheduled Escorts
 - a. Legitimate requests for scheduled law enforcement escort services include, but are not necessarily limited to, those associated with funerals, motorcades and other traffic of public officials and dignitaries, oversized vehicles, highway construction and

maintenance vehicles, and vehicles with hazardous or unusual cargo.

- b. When the Police Department agrees to honor a request for a scheduled escort, the trip route will be established in advance, as will the maximum speed to be maintained along each segment of the route.
- c. Point traffic control will be established, as appropriate, at locations along the scheduled route sufficient to ensure safe passage.
- d. Tactical control of the escort will be assigned to a specific Supervisor or officer in accordance with the complexity of the escort services being provided. The Supervisor will set the pace of the escort in accordance with prevailing conditions, and under no circumstances exceeding the pre specified maximum speed for any segment of the route. The Supervisor will terminate the escort and resume normal vehicular operation when, in their opinion, conditions are such that continuation of the escort would constitute unacceptable risk to the public.
- e. The use of patrol vehicle emergency equipment during the escort will be specified in advance by the appropriate supervisor or the Chief of Police.
- f. Request for non-emergency escort should be referred to patrol supervision.
- g. Escorts for public officials or other special requests are to be approved by the Chief of Police in advance.
- h. A Call for Service will be entered into the RMS for any escort services provided by Department personnel, with a notation as to the pertinent details of the escort.

F. Hazardous Roadway Conditions

- 1. Hazardous highway and/or environmental conditions are defined as:
 - a. Defects in the roadway itself (holes, ruts, or dangerous shoulders).
 - b. Lack of or defects in highway safety features (e.g., center and roadside striping and reflectors) or improper, damaged, destroyed or visually obstructed traffic control and information signs.

- c. Lack of traffic control and information signs (curve and hill warnings, stop and yield signs, speed limit signs, street and highway identification), or improper, damaged, destroyed or visually obstructed traffic control signs or devices.
 - d. Lack of mechanical traffic control devices or improperly located or malfunctioning traffic control devices.
 - e. Lack of roadway lighting systems or defective lighting systems.
 - f. Natural or man caused obstructions (fallen trees and rocks, litter, debris, parts of vehicles, broken water mains and electrical wires).
 - g. Ice or heavy snow accumulations on roadway surfaces.
 - h. Fire and its attendant smoke in areas adjacent to the highway.
 - i. Vehicles parked or abandoned on or near the roadway.
2. The term "roadside hazard" will refer to all physical features of the roadside environment which are such that a vehicle leaving the road surface for any reason, even momentarily, could impact with them, resulting in unnecessary injury to people or damage to property. Roadside hazards are defined as:
- a. Rigid non-yielding supports for traffic control devices and lights, or the non-performance of safety installations (i.e., breakaway sign supports that fail to function properly).
 - b. Improperly engineered guard rails.
 - c. Unshielded bridge railings that may not be able to retain an impacting vehicle and redirect it parallel to the roadway, thereby minimizing damage to the vehicle and danger to traffic below the bridge.
 - d. Bridge abutments and other hazardous fixed objects built off the roadway, and into which the vehicle might crash with high injury probability.
 - e. Utility poles, trees, ditches, inappropriately steep banks, culverts, rock formations, and other fixed objects built off the roadway, and into which the vehicle might crash with high injury probability.
3. The following procedures will be followed in identifying, reporting and correcting hazardous roadway, roadside, or environmental conditions.

- a. When a hazard is identified and in the officers opinion such hazard reflects an immediate correction (such as a fallen tree or electrical wire across or on any part of the traveled portion of this situation), they will immediately inform dispatch of this situation and identify the assistance or special equipment required. The officer will protect the scene and bystanders, direct traffic, and take any other action deemed necessary to correct the situation.
 - b. When a hazard is detected that represents a potential collision situation but the threat of such is not imminent, as in the case of a discarded muffler, the officer will pass this information on to dispatch. Dispatch will notify the County/State Highway Department or other proper authority to have the situation corrected. If the officer can safely correct the situation (such as the discarded muffler), they will take appropriate action.
4. A Call for Service will be entered into the RMS (Traffic Hazard) indicating the pertinent details and any actions taken by the officer.

G. Radioactive and Hazardous Materials

1. A hazardous material is defined as follows: Any element, compound, or combination thereof which is flammable, corrosive, explosive, toxic, radioactive, an oxidizer, or is highly reactive and which, because of handling, storing, processing, and packaging may have detrimental effects upon operating and emergency personnel, the public, equipment, and/or the environment.
2. Radioactive materials are in current use in hospitals, research laboratories, and numerous industrial and military applications, and are transported throughout the state by truck, rail, air, and waterborne transportation.
3. Numerous hazardous materials are transported throughout the state every day. While many of these are in common use, accidents or spills present a serious threat to the health and safety of the general public, especially the officer who happens to be first on the scene.
4. Many accidents and other emergencies involve more than one agency and require a cooperative emergency response. It is of extreme importance for all deputies to be aware of what actions they should take during hazardous material emergencies.
5. Complete information concerning the incident will be forwarded to dispatch by the quickest means available. This information will include:

- a. Basic description (explosion, fire, etc.)
 - b. Exact location.
 - c. If possible, all information contained on the Interstate Commerce Commission (ICC) label or labels.
6. Upon being notified of any incident, dispatch will notify the appropriate EMS and additional specialty resources to address the situation.

H. Nuclear Materials

When it is believed that an accident or incident has occurred involving an atomic weapon (or weapon component) or radioactive material that can be identified with a military service, dispatch will, in addition to the notification specified above, request assistance from appropriate military headquarters.

I. Hazardous Materials

1. First, and most important, is the identification of shipments considered hazardous. This is usually accomplished directly or indirectly by descriptive data in shipping documents, on containers, package labels, and vehicle placards.
2. If this information is not readily obtainable due to an incapacitated driver, destruction of a bill of lading or other shipping papers, dispatch will immediately contact the Chemical Transportation Emergency Center (CHEMTREC). CHEMTREC provides technical expertise in handling hazardous material emergencies. They can also provide additional phone numbers for emergencies, such as accidental poisoning. When in doubt, the dispatch should immediately contact CHEMTREC. Basic information needed:
 - a. Name of caller and call back number.
 - b. Location of problem.
 - c. Shipper or manufacturer.
 - d. Container type.
 - e. Rail car or truck number.
 - f. Carrier name.
 - g. Consignee.

h. Local conditions.

3. In the case of hazardous material incidents, officers will isolate the hazard area, evacuate non-essential personnel, and make a preliminary hazard identification (spill, leak, fire).
4. The appropriate fire department will be notified to aid in any such matter.

J. Abandoned Vehicles

1. Abandoned vehicles constitute a safety hazard within the town. The following procedures provide guidelines for the systematic removal of these vehicles consistent with state regulations.
2. Definitions:
 - a. Public Property: Any property owned or controlled by a Federal, State, County, or Municipal Government.
 - b. Private Property: Any property not owned or controlled by a Federal, State, County, or Municipal Government.
3. Abandoned Vehicle: Any motor vehicle, trailer or semi-trailer:
 - a. That is, or appears to be, inoperable and is left unattended on public property for more than 48 hours.
 - b. That has remained illegally on public property for more than 48 hours.
 - c. That has remained on public property for more than 48 hours without the consent of the owner or person in charge of the property.
 - d. That has remained on public property for more than 48 hours and:
 - (1) Is not displaying currently valid registration plates.
 - (2) Is displaying registration plates of another vehicle.
 - e. That has been left unattended on any portion of a controlled access highway for more than 24 hours after tagging (Transportation Article 25-201).

f. Vehicle Tagging Procedures (this section only applies to vehicles abandoned on State roadways within town limits. Contact MSP to request that they tag the vehicle or to obtain a tag for placement on the vehicle).

(1) Vehicles requiring tagging:

- i. If observed by the officer as disabled or abandoned;
- ii. If reported disabled or abandoned;
- iii. Vehicles left unoccupied as a result of an arrest by an officer.

(2) The officer will utilize the MSP Abandoned Vehicle Tag by filling out all appropriate information on the tag.

(3) This tag will be attached to the vehicle on the rear window, driver's side.

(4) Under no circumstances will the tags be attached to any painted surface of the vehicle.

(5) MSP Dispatch will be advised of the color, make, model, and registration of any vehicle tagged within town limits on a State roadway.

(6) A Call for Service will be entered indicating the details of the abandoned vehicle.

(7) Supervisors will ensure that any vehicles that have been tagged for more than 48 hours are towed, but only after efforts to contact the registered owner have been exhausted. Supervisors will direct and officer to respond to the vehicle location and make disposition by:

- i. Towing the vehicle, if still on the scene, or;
- ii. Advising MSP Dispatch that the vehicle is "GOA" if the vehicle is not on the scene.

4. Vehicles Abandoned on Public Property

If a vehicle is observed or reported abandoned on public property the officer will conduct a stolen check on the vehicle. If the vehicle is stolen and/or a traffic hazard, it will be towed. If the vehicle is not stolen and not a traffic hazard, immediate efforts will be made to contact the owner to have it removed. If the owner cannot be located, a Supervisor will be consulted for next steps. If the vehicle fits the definition of a "Junk

Vehicle,” per the Town Code (Chapter 169), it will be handled accordingly. In all cases, the incident will be documented appropriately.

5. Vehicles Abandoned on Private Property

If a vehicle is observed or reported abandoned on private property, the officer will conduct a stolen check on the vehicle. If the vehicle is not stolen the property owner should be instructed to contact a tow company for removal. Officers will not store vehicles from private property unless it is stolen, evidence, or has been used in the commission of a crime.

K. Tow Policy

1. Towing

- a. Officers may only tow a vehicle if it is parked in violation of the law, presenting a hazard to public safety, or interfering with the flow of traffic; or when the vehicle is evidence itself or may contain evidence; or for safekeeping subsequent to an arrest, or the vehicle or its contents will likely be stolen or damaged if it is not impounded.
- b. Officers will use only those tow services that have been approved and which appear on the tow list, if the vehicle is being towed at the request of the officer.
- c. It will be the responsibility of the dispatcher to contact the nearest available tow service from the tow list when a request is received from an officer and the owner does not state a specific tow service.

2. Tow List

- a. The State Police shall establish a list of tow services authorized. It shall consist of companies capable of towing large or small vehicles. The tow company must provide 24 hour service and have a fenced lot that may be locked to preserve evidence or those vehicles seized on court orders. The list shall contain reputable businesses throughout the County, or close to the County, as to not cause undue delay in response time. The tow companies will have a response time of 30 minutes or less, with the exception of adverse weather conditions or other exigent circumstances beyond their control. Any complaints regarding any company on the tow list shall be documented.

- b. The tow companies must meet all guidelines of the Maryland Vehicle Law and Code of Maryland Regulations regarding vehicle safety and equipment standards.
 - c. If a tow company fails to arrive within 30 minutes, the following procedures will be followed:
 - (1) A notation will be made on the Call for Service or Incident Report, if applicable, indicating the arrival time of the tow service for future reference
 - d. A copy of the tow list shall be maintained by MSP.
3. Towed Vehicle Procedure
- a. When an officer requests the towing of a vehicle for any reason, such as; disabled causing a hazard, abandoned, recovered stolen or involved in a collision and the operator or owner is not on the scene, the officer shall complete an Incident Report.
 - b. In the Incident Report, under the “Property and Vehicles” tab, all pertinent details will be listed to include the name of the vehicle owner; name of the vehicle operator (if different than owner); name, address and telephone number of the tow company, and name of tow truck operator. Refer to the Memo dated October 10, 2017 for step-by-step instructions on how to enter towed vehicles and record vehicle inventories in the RMS (memo located in PowerDMS under “Memoranda.”
 - c. Before the end of the officer's shift, all paperwork shall be submitted and reviewed by the on-duty Supervisor.
 - d. When the owner of the stored vehicle wishes to claim the vehicle he/she must present proof of ownership to the on-duty supervisor. The on-duty supervisor will have an SPD Form #91 Vehicle Release signed and will give a copy to the owner as a release to the tow company. A copy of the completed Vehicle Release will be placed into the Incident Report casefile
4. Towing Vehicles in Violation/Involved in Collision or Disabled
- a. Requests by owner/operator for a specific tow service may be honored with consideration given to the existing traffic conditions and the proximity of the desired towing service.

- b. Officers requesting tow services will normally do so via the police radio. Requests shall include the following information if the officer is not to remain on the scene.
 - (1) The make, model, color and tag number.
 - (2) The exact location of the vehicle being towed.
 - (3) The reason for towing (collision, disabled, etc.).
 - (4) A brief description of the scene (overturned, burned, etc.)
- c. All vehicles towed in this category will be taken to the lot of the tow service unless otherwise specified by the owner/operator.
- d. If the owner/operator is impaired, incapacitated, or not present when the vehicle is towed, the vehicle contents will be inventoried and noted on Incident Report under the "Property and Vehicles" tab in the Vehicle Tow/Impound section. Valuable property will be documented and stored accordingly.
- e. When any vehicle is towed without the knowledge of the owner/operator, the dispatcher will note the information in the CAD system should the owner/operator inquire as to the vehicle's location.
- f. It will be the responsibility of the officer to contact the owner/operator of the vehicle to determine if attempts are being made to remove it. If the vehicle is towed, the officer will conduct follow-ups to notify the owner.
- g. All unattended vehicles towed will be checked for stolen prior to a tow truck being requested.
- h. When a vehicle is towed for illegal parking, the vehicle will be tagged with a Sykesville Police Department Parking Citation for the violation. The citation will be issued to the registered owner of the vehicle. In the absence of the owner/operator, the citation will be placed on the windshield.

5. Stolen Vehicles

- a. If a stolen vehicle, a vehicle used without the authority of the owner, or a vehicle used in connection with criminal activity is recovered, the investigating officer will:

- (1) Arrange for the vehicle to be processed at the scene for evidence, if applicable.
 - (2) If there is no reason for holding the vehicle it may be released directly to an authorized person. Prior to the release, the officer will complete an Incident Report.
 - (3) If the owner of the vehicle is not available and there is no reason for holding the vehicle, request the nearest reliable tow service.
 - (4) If the vehicle must be retained as evidence or for further processing, it will be removed to an authorized Impound Lot until it is no longer needed as evidence and has been properly claimed. Prior approval for such removal will be obtained from the on-duty supervisor.
- b. The officer will contact the owner or, in the case of out of County or out of State, cause a notification to be made to the police agency in that area requesting notification of the owner, advising of the recovery and how vehicle may be claimed.

6. Towing Vehicles for Evidential Procedures

- a. Only vehicles subject to forfeiture guidelines, or vehicles that are in and of themselves a crime scene, may be stored in the impound lot without prior supervisory approval.
- (1) A tow list will be maintained for towing vehicles of evidentiary value. Only tow services from this list will be used for towing such vehicles.
 - (2) If the vehicle needs to be processed as a crime scene, the tow service operator who responds will be advised not to enter the vehicle. If evidence tape is available it will be used to seal the doors of the vehicle.
- b. When a vehicle is towed for this reason the officer handling the case will contact an Evidence Technician as soon as possible and advise him of the circumstances of the case and the processing needed on the vehicle. The Evidence Technician will coordinate with the Investigator any further action concerning the vehicle.
- c. When vehicles are impounded for potential confiscation and forfeiture proceedings for violation of the controlled dangerous

substances statutes, the officer will request the nearest reliable tow company.

- (1) The reporting officer will complete an Incident Report.
- (2) Notification will be made to the Carroll County Narcotic Task Force as well as the Carroll County State's Attorney's Office for guidance.

L. Inventory Searches

1. There are three reasons that inventory searches are conducted (as cited in *Briscoe v. State of Maryland*, Court of Appeals of Maryland, October 24, 2011) as a routine administrative procedure:
 - a. To protect the owner's property;
 - b. To protect police from danger;
 - c. To protect police against claims and disputes over lost property.
2. When a tow is initiated at the Officer's request, i.e., the owner/operator is impaired, incapacitated, or not present when the vehicle is towed, officers will examine vehicles for any valuables located within prior to removal by the tow company.
 - a. Inventories will be recorded on the Incident Report under the "Property and Vehicles" tab in the "Inventory" section for items which are left with the vehicle (see Memo referred to above for step-by-step instructions).
 - b. Items removed from the vehicle will be documented in the Incident Report and submitted into Evidence for safekeeping.
 - c. It is the investigating officer's responsibility to attempt to contact the owner of the vehicle, as soon as reasonably possible after the vehicle is towed, in order to notify the owner of any property that was removed from the vehicle and to inform the owner of how to reclaim their property.
3. All property will be inventoried, including items in unlocked baggage, unsealed cartons, etc. Items in the trunk and glove compartment will be inventoried as will items in locked suitcases or containers, but only if a key is available. Forced entry to a trunk, glove box, suitcase or other item is not permitted to complete an inventory unless express permission has been granted and a consent to search form has been signed by the owner.

Items such as clothing in a suitcase or tools in a tool kit need not be individually itemized, but can, for example be described on the Inventory section simply as "women's clothing" or "auto mechanic tools".

4. Limitations are imposed on the scope of an inventory and each inventory must be justified as inventory may extend to any part of the vehicle where personal property would ordinarily be kept; looking elsewhere will call into question the officer's motives. Unlocked packages may be opened for the mutual protection of the officer and the owner. Evidence or contraband discovered in the conduct of the bonafide inventory can be seized and used in a criminal prosecution. The burden is on the officer, however, to show that the inventory was reasonable and pursuant to Agency policy.
5. Except for evidence, only items of value or those with an obvious attraction which may result in its disappearance, should be removed and taken into protective custody. Personnel shall consider each item in the vehicle as their obligation to safeguard. Personnel are encouraged to use good judgement in light of the circumstances involved. Items not removed will be locked in the vehicle, preferably in the trunk.

M. Tow Records

1. The officer releasing a vehicle will search the Interact RMS for the vehicle.
2. Any person claiming a vehicle will sign the Vehicle Release and be given a copy. The person releasing the vehicle will insure there is no hold on the vehicle and that it may be released.
3. Vehicles may be released:
 - a. To the owner.
 - b. To an authorized agent of the owner with a notarized form from the owner giving such authorization.
 - c. Upon presentation of a court order.
 - d. Upon presentation of a notarized form or document indicating that the person or firm named on the form or document is lawfully entitled to the stored vehicle.

IV. CANCELLATIONS

This General Order cancels and replaces the following policies: General Order 66.1, entitled Traffic Ancillary Services, dated December 27, 2001.