



SUBJECT: Traffic Enforcement and Local Ordinances

TO: Department Members

This Order establishes department policy and member responsibilities for the following:

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17.1 PROCEDURES FOR CLOSURES OF STATE HIGHWAYS

17.1.1. PURPOSE

To provide policies and procedures for members to follow when closing state highways. The general nature of state highway closures requires a prompt, coordinated response and effective action.

17.1.2. AUTHORITY

- A. The State Constitution and statutes establish the Michigan Department of Transportation (MDOT) as the owner and operator of state highways. This primary responsibility is not preempted by emergency/disaster conditions.

When an emergency/disaster is declared by proper authorities, the Michigan Emergency Management Plan and the [Emergency Management Act](#) provides for emergency/disaster response operations within the State.

- B. Highway Closures

The legal authority and responsibility of the State Transportation Commission for closing trunk lines is found in [MCL 750.497](#), which authorizes the closure of highways to ensure the public safety.

C. Enforcement Member Authority

The authority cited in the Michigan Vehicle Code, [MCL 257.602](#), provides that a person shall not refuse to comply with a lawful order or direction of a police officer when that officer, for public interest and safety, is guiding, directing, controlling, or regulating traffic on the highways of this state.

D. All closures of state highways are similar in procedure and responsibilities; however, severe weather conditions can involve a much larger closure area. These conditions require a greater degree of coordination between involved agencies and the public.

- (1) During major incidents, the decision to completely close state highways, the general area affected, and the anticipated length of time will be made jointly by the involved State Police district commander and MDOT Region Associate Engineer or representative.
- (2) If an incident allows for a decision concerning timing of state highway closures, it is best to postpone the closure during peak hours. This closure postponement can only be considered if vehicles have been adequately removed from the traveled portion of the roadway and are not interfering with safe traffic flow.
- (3) An official bulletin will be prepared jointly by the involved State Police district commander and MDOT Region Associate Engineer or representative and released immediately to the news media.

This announcement will state as precisely as possible the travel restrictions and area affected by the restriction.

17.1.3. EMERGENCY/DISASTER IDENTIFICATION

The need for complete, temporary, or partial closure of state highways may be necessary under any of the following conditions:

A. Natural Disasters

- Flooding
- Tornadoes and/or Windstorms
- Ice and/or Snowstorms
- Earthquakes
- Forest Fires

B. Nuclear or Radiological Incidents

- Nuclear Power Plant Incidents
- Radiological Incidents

C. Technological Incidents

- Explosions
- Hazardous Materials
- Fires
- Transportation Facility Failures

D. National Security

- Civil Defense
- Military Action
- Terrorism

E. Major Traffic Incidents

- Traffic Crashes
- Unusual Congestion
- Damaged Highway and/or Bridge

17.1.4. HIGHWAY CLOSURE PROCEDURES

When an incident occurs, enforcement members shall initially assess the situation and its scope to determine whether additional assistance is needed. Other agencies may become involved depending on the nature of the incident. Temporary closures will be provided under police authority. If a closure is expected to last four or more hours, assistance can be requested from the MDOT Region Associate Engineer or representative. Enforcement member response procedures listed below should be followed:

A. Incidents or traffic crashes involving hazardous materials

- (1) In the event an enforcement member arrives at the scene of a hazardous materials traffic crash or incident before any other police agency or organized fire department, he or she shall immediately notify the Bureau of Fire Services and the organized fire department of the area in which the incident occurred as required by [MCL 29.5g](#) and otherwise comply with Official Order No. 27.
- (2) If an incident involving hazardous materials affected a state highway, the response procedures described in Section 17.1.5 shall be followed.

B. Enforcement members shall report incidents affecting state highways to the Regional Communication Center (RCC) and local post.

- (1) The RCC will notify the appropriate MDOT Regional Office of all partial or full state highway closures.

Closures shall be reported to the MDOT Regional Office as soon as possible.

- (2) The RCC and/ or post will notify the Special Operations Division (SOD) via the Law Enforcement Information Network (LEIN) or telephonically, of all full state highway closures.

C. Requesting Assistance

- (1) The local MSP post shall contact the MDOT Regional Office when an incident requires a detour of traffic from the state highway system. MDOT may assist with selecting appropriate alternate routes by considering load limits, bridges, overpasses, or other limiting factors.
 - a. For extended state highway closures, MDOT resources such as arrow boards, signs, signals, barricades, and/or vehicles can be requested.
 - b. For damage to state highways or bridges, and severe weather that causes hazardous road conditions, resources can be requested through the appropriate MDOT Regional Office.
- (2) MSP assets can be requested based on the circumstances at the scene.

17.1.5. TASKS

A. MSP Responsibilities:

Continuously inform the RCC, Operations Section, and SOD via telephone, radio, or LEIN of local hazardous or restrictive road conditions for immediate release to the news media.

- (1) Post Commanders or their representative(s) will maintain coordination with road authority agencies and other police agencies within the affected area, and alert and work with county/city emergency management coordinators concerning the possible need for shelters and rescue operations within the affected area.
- (2) Regional Dispatch Centers will alert the district commander, Operations Section, emergency management coordinator (SOD), and traffic crash reconstruction specialists.
- (3) District Commanders or their representative will coordinate efforts with the MDOT Region Associate Engineer or their representative concerning road closures within the district. If adjoining districts are involved, coordination will be through the Operations Section and SOD.
- (4) District Emergency Management Coordinators will assist post commanders in the coordination of response and recovery operations.
- (5) District Traffic Crash Reconstruction Specialists will assist the MDOT Region Traffic and Safety Engineer regarding safety requirements and plans for alternate routes within the district.
- (6) SOD will notify MDOT's Emergency Management Coordinator for coordination of highway operations. The information may also be broadcast to all affected police agencies via LEIN. The SOD will also alert Operations Section personnel as well as the MSP Emergency Management and Homeland Security Division (EMHSD) duty officer.

B. MDOT Personnel:

Members will, when appropriate, assist MDOT personnel in their effort to follow applicable procedures as provided in the Emergency Management Response Call List (red book). Members should be aware of the following list of MDOT activities that may require communication with or the assistance of the department:

- (1) Coordinate activities with the MSP district commander.
- (2) Maintain communication with affected highway superintendents and contract county superintendents for up-to-date road condition assessments.
- (3) Deploy region equipment and request additional equipment from other MDOT regions when required.
- (4) When appropriate, coordinate emergency efforts with the MSP district commander on state highway closures.
- (5) When incident management plans are not available, assist MSP in determining road closure terminals for affected highways within the MDOT region and coordinate closures with adjacent MDOT regions when required.

- (6) Contact other MDOT regions outside the emergency area of the possible need for their assistance to the affected area.
- (7) Contact and work with personnel, as necessary, from the Mackinac, Blue Water and International bridges.
- (8) Notify and continuously update the MDOT Region Engineer, Chief Operations Officer, and the Emergency Management Coordinator.
- (9) MDOT Emergency Management Coordinator will coordinate with MSP Emergency Management and Homeland Security Division and SOD along with the affected MDOT districts to ensure an overall coordinated effort.

17.1.6. RE-OPENING CLOSED HIGHWAYS (SEVERE WEATHER)

- A. Affected road authorities and MDOT personnel will report information to the MDOT Associate Region Engineer or their representative when a major highway can be re-opened.
- B. Affected MSP posts will immediately report road conditions to their district headquarters and Operations Section.
- C. MSP and MDOT officials will coordinate re-opening of highways with Operations Section and affected road agencies or MDOT personnel.
- D. The SOD, along with Operations Section personnel, will compile information on travel restrictions and re-opening of highways. Data will be provided to the news media and broadcast to affected police agencies based on information received from NOAA Weather Wire and LEIN.
 - (1) During SEOC activations, SOD will provide this information to the Operations Section.

17.2 TRAFFIC LAW ENFORCEMENT POLICY AND PROCEDURE

This section provides policies and procedures to enforcement members on the performance of traffic enforcement duties. The policies and procedures established in this section are designed to aid enforcement members in achieving maximum effectiveness for safe traffic flow and prevention of traffic crashes.

Traffic patrols shall be scheduled to obtain the most effective results by focusing on areas having high traffic volumes and high numbers of traffic crashes. All traffic violations shall be enforced vigorously and fairly, with a special emphasis on violations likely to cause traffic crashes. Violations likely to result in serious injury should the vehicle be involved in a traffic crash, such as child restraint violations and failing to wear safety belts, shall also be vigorously enforced.

Enforcement action can be in the form of a verbal warning or issuance of a traffic citation. Enforcement members shall exercise good judgment in use of this discretion and shall at all times be accountable for their actions. Weather, highway, and traffic conditions shall be considered as factors in every violation to the extent that if these conditions are unfavorable, the seriousness of the violation is increased.

17.2.1. COMMAND RESPONSIBILITY AND TRAINING

- A. District commanders, post commanders, and district motor carrier lieutenants shall ensure that enforcement members are thoroughly familiar with patrol procedures, traffic laws, and traffic crash investigation, as well as, related prosecution and court procedures. The contents of this Order should be considered in preparing the agenda for district and post meetings to ensure enforcement members have complete familiarity with its requirements.
- B. District commanders shall, through appropriate means, bring the policies and procedures established in this Order to the attention of prosecuting attorneys and courts handling traffic cases for this department. They shall enlist support and assistance in giving it full effect and shall establish a program of continuing coordination and cooperation.

17.2.2. PROCEDURE FOR APPREHENSION OF A VIOLATOR

When practical, enforcement members shall stop drivers observed to have committed a violation of law. In all cases, for protection of the enforcement members and the person stopped and to provide greater public exposure, the emergency lights on the patrol car shall be used during and shall remain activated throughout the stop, except Wig-Wag headlights, which should ordinarily be extinguished after the vehicle has stopped. Leaving Wig-Wag headlights activated during the remainder of the patrol stop provides little or no benefit once the suspect has stopped and potentially hinders the vision of oncoming drivers.

Enforcement members shall be courteous and maintain a professional demeanor throughout the traffic stop. After stopping the violator, the following action shall be taken:

- A. Inform the driver why he or she was stopped.
- B. Request and examine the operator's or chauffeur's license of the driver, certificate of registration, and proof of vehicle insurance. The driver may display an electronic copy of his or her certificate of insurance and registration certificates using an electronic device. Enforcement members shall only view the electronic copy of the certificate of insurance/registration certificates and shall not manipulate the electronic device to view any other information on the electronic device. Enforcement members may require the person to electronically forward the electronic copy of the certificate of insurance/registration certificate to a specified location provided by the enforcement member so the enforcement member may then view the electronic copy of the certificate of insurance/registration certificate in a setting in which it is safe to verify that the information contained in the electronic copy of the certificate of insurance/registration certificate is valid and accurate. ([MCL 257.328](#) and [MCL 257.223](#))
 - (1) If there is an operator's license violation, vehicle registration violation, insurance violation, or vehicle defect is found, a citation may be issued.
 - (2) If the driver does not have a registration certificate, the plate and Vehicle Identification Number (VIN) shall be file checked through LEIN and the National Crime Information Center (NCIC).
 - (3) Since states differ on certificate of registration and insurance regulations, a citation shall not be issued to a nonresident for failing to have a certificate of insurance or registration.
- C. The VIN and equipment on the vehicle shall be inspected, using procedures in Official Order No. 48. If the enforcement member determines the vehicle, or parts of the vehicle are not stolen, further equipment inspection may be omitted.

- D. Appropriate enforcement action shall be taken by either issuing a citation or a verbal warning.
- E. If a citation is issued for a violation other than the violation for which the person was stopped, the reason for the stop shall be listed in the remarks section of the citation.

17.2.3. TRAFFIC ENFORCEMENT POLICY

- A. Enforcement members shall use discretion in determining when a violation has been committed and the proper and most appropriate corrective action to be taken in each case.
- B. Enforcement members are encouraged to adopt a zero-tolerance approach with no verbal warnings when enforcing safety belt and child restraint violations.
 - (1) A citation may be issued when an enforcement member observes a violation of the traffic laws and a citation is, in the enforcement member's best judgment, the most appropriate corrective action.
 - (2) Where the enforcement member has reason to believe that a citation is not the most appropriate corrective action, a verbal warning may be issued to the offending driver in lieu of other action.
 - (3) Regardless of the number of violations brought to the driver's attention, only one verbal warning shall be recorded on the enforcement member's Daily Report (UD-002).
- C. Enforcement members shall exercise good judgment when issuing multiple citations.

When more than one violation is observed, but the driver's action is not believed to constitute careless or reckless driving, the violation which is most likely to contribute to a crash shall be enforced rather than issuing a citation to the violator for each individual violation. In the event additional violations are deemed both reasonable and appropriate, no more than four additional violations may be issued from the following list:

- (1) Driving a vehicle with defective equipment written under [MCL 257.683](#).
 - (2) Violation of vehicle registration and/or insurance laws.
 - (3) Violation of driver licensing and/or qualification laws.
 - (4) Overweight and/or oversize.
 - (5) Safety belt and/or child restraint violation.
 - (6) Transporting open intoxicants.
 - (7) Refusal to take a preliminary breath test.
- D. Rented Vehicles
 - (1) When an enforcement member stops a vehicle and determines that the vehicle has been rented from a commercial car rental agency, the member shall examine the rental agreement for driver authorization information.
 - (2) If an authorized person, per the rental agreement, is not the driver or an occupant of the vehicle, members shall contact the rental agency to ascertain if there is a violation

of [MCL 750.414](#) (use of motor vehicle without authority but without intent to steal) and if the rental agency, as the vehicle owner, expresses a desire to prosecute the alleged offender(s).

- a. If the rental agency expresses a desire not to prosecute the offender(s), then criminal investigation, enforcement action, or impound of the vehicle shall not occur solely because a driver or occupant is not an authorized person under the rental agreement.
- b. If the rental agency expresses a desire to prosecute the offender(s), enforcement members may initiate a criminal investigation and take appropriate enforcement action for such violations. Breach of a rental agreement alone is not a sufficient reason for an enforcement member to believe a driver lacks a reasonable expectation of privacy in the vehicle, and any subsequent search of the vehicle must be based on a search warrant or a judicially recognized exception to the search warrant rule.

E. Legislators

Legislators are not exempt from traffic citations (civil infractions and misdemeanors). However, the Operations Section shall be notified immediately of a custodial arrest of a legislator or the issuance of a citation to a legislator. Enforcement member must complete the Contact With Elected Officials (EX-008) form and forward through the chain of command to the Executive Resources Section.

17.2.4. UNIFORM LAW CITATION (UD-008/MC-008)

- A. The Uniform Law Citation, UD-008 or MC-008, shall be used to report violations of the [Michigan Vehicle Code](#), the [Pupil Transportation Act](#), the [Motor Carrier Safety Act of 1963](#), the [Motor Carrier Act](#), the [Motor Carrier Fuel Tax Act](#), and the [Motor Fuel Tax Act](#).
- B. Enforcement members are not required to complete the Uniform Law Citation for non-traffic misdemeanor and felony arrests where neither the suspect nor court requires a copy of the ticket. For further information, see Official Order No. 14.

17.2.5. APPEAL TO FORMAL HEARING

In accordance with court rules and department policy, the decision to appeal to a formal hearing shall be made by the prosecutor, not by the citing enforcement member.

17.2.6. ACCOUNTING FOR UNIFORM LAW CITATIONS

Uniform Law Citations (UD-008) and Commercial Law Citations (MC-008) shall not be supplied to other law enforcement agencies or courts. Local entities may purchase citations direct from the vendor.

Uniform Law Citations are pre-numbered for accounting and auditing purposes. This number is found in the rectangular block at the upper right-hand corner of the citation and on the right margin.

- A. Pre-numbered citation books shall be obtained by requisitioning them from the Distribution Center. The post commander, motor carrier lieutenant, or designee shall sign a receipt for the books received.

- (1) Enforcement members receiving a citation book shall sign their name and record the date of issue next to the corresponding numbers on the pre-printed 8½ x 11 card provided with each citation case. The first number of the column shall be the same as the first number in the citation book.
 - (2) When an enforcement member at the work site is transferred or resigns, the Citation Book shall be retained by the post commander or motor carrier lieutenant and reissued. The second recipient shall sign the ledger and indicate the first number of the remaining citations next to his or her name.
- B. Voided citations shall be signed and endorsed with an explanation of why the citation was voided by the enforcement member involved. The voided citation shall be destroyed by the post commander or district motor carrier lieutenant.
- (1) Lost and voided citations shall be noted by entering "Lost" or "Voided" next to the corresponding citation number on the enforcement member's daily report. The post commander, district motor carrier lieutenant, or designee, but not the enforcement member involved, shall initial each "lost" or "voided" entry.
 - (2) The enforcement member responsible for a lost citation shall write a special report explaining the loss and shall forward the report through channels to his or her district or division commander.
 - a. The district or division commander shall review and endorse the special report. The special report shall then be returned to the originating work site.
- C. Electronically Issued Citations (eCitations)
- (1) Accounting
 - a. Citation numbers are assigned automatically by the eCitation program.
 - b. eCitations are stored electronically and paper copies do not have to be retained at the work site.
 - (2) Voiding an eCitation
 - a. If an eCitation that is submitted electronically to the court needs to be voided, it must be voided following the court procedures for nolle pros.
 - b. If an eCitation is submitted by paper copy and not electronically to the court, the process for voiding the citation is the same as found under Section 17.2.6.B.

17.2.7. CODING AND CLASSIFICATION OF TRAFFIC LAW VIOLATIONS

To measure and evaluate the quality of the department's activity in traffic law enforcement, a classification of traffic law violations has been adopted. For a link to view the classification of traffic law violations, [click here](#).

- A. A copy of the classification of traffic law violations shall be furnished to each enforcement member. The classification guide includes a statutory reference for each specific offense.
- B. Citation code numbers and statutory reference for each specific offense are printed on the inside cover of the citation books.

- C. The number immediately preceding the violation on the classification guide is the citation code. This number shall be placed on the traffic citation in the space provided at the top of the citation.

17.3 POLICY FOR ENFORCEMENT OF LAWS RELATED TO THE OPERATION OF SCHOOL BUSES

The operation of school buses is regulated by the [Pupil Transportation Act](#) and the [Michigan Vehicle Code](#).

17.3.1. SCHOOL BUS INSPECTIONS

- A. All school buses shall have one of the following affixed to the driver's window:
 - (1) A current valid vehicle inspection sticker.
 - (2) A yellow sticker advising "This bus has equipment defects."
 - (3) A red sticker advising "This vehicle may not be driven in the transportation of any pupil. Use of this vehicle to transport pupils is in violation of the law. Do not remove without State Police authorization."
- B. An enforcement member observing a school bus with a red sticker issued by the department affixed to the windshield and transporting pupils shall stop the school bus and take appropriate enforcement action. An enforcement member observing a school bus with a yellow sticker or without any sticker shall obtain all pertinent information and forward it to the Bus Inspection Unit commander at the Commercial Vehicle Enforcement Division (CVED) Headquarters for follow-up.
- C. When stopping a person who is driving a school bus, enforcement members shall examine both the driver's "School Bus Safety Education Course (or enrollment) Certificate" (when transporting passengers) pursuant to [MCL 257.1851](#), and a copy of a physician's certificate stating that the driver is physically qualified to drive a school bus, pursuant to [MCL 257.1853](#).

17.4 AIR SPEED TIMING

- A. When it is determined that air speed timing is appropriate by the post commander and approved by the district commander, only a departmental aircraft shall be used. In addition, only pilots and observers properly trained and authorized by the Field Support and Aviation Section commander shall be utilized.
- B. The pilot in command of the aircraft has final authority in determining if proper conditions exist for the safe and suitable operation of the aircraft.
- C. During the planning stage, post commanders shall consult with the Field Support and Aviation Section for assistance in identifying and marking suitable target zones.
 - (1) The Field Support and Aviation Section maintains guidelines for the establishment of these zones which consist of precise quarter mile zones designated by painted lines on the highway.
 - (2) Prior to commencement of air speed timing, post commanders shall ensure that participating enforcement members are familiar with the target zones.

Each enforcement member assigned shall actually measure the distance of these target zones and record the date and time of such measurements on the enforcement member's daily report. This information will be necessary for court appearances.

- D. A properly trained observer from within the participating district shall accompany the pilot on all missions. In the event a trained observer from within the district is not available, the Field Support and Aviation Section shall be contacted for assistance in locating a suitable replacement.
- E. When available, two fully marked patrol cars and two uniformed enforcement members should be used on the ground. Additional enforcement members may be required depending on the location and existing traffic conditions.
- F. The Uniform Law Citation (UD-008) shall be signed by the enforcement member issuing the citation. The designation for aircraft-timed speed ("A") shall be used in the Local Use Box.
- G. The senior enforcement member on the ground detail shall carry the activity on the officer's daily report in the number two column and the junior enforcement member in the number one column. The officer's daily report shall show the name of the pilot and observer.
- H. The observer shall submit daily reports to the district traffic services coordinator indicating the total number of citations, arrests, and hours spent in actual air speed timing.
- I. Chronometers are the speed-measuring devices utilized for air speed timing and are assigned to the Field Support and Aviation Section. The chronometers will be temporarily assigned to the appropriate observers prior to commencement of air speed timing operations.
 - (1) Each chronometer shall be checked for accuracy against Universal Coordinated Time on Station WWV, which is operated by the National Bureau of Standards. A maximum of 1/20th of a second variation during a two-minute run shall be the minimum tolerance.
 - a. An initial accuracy check shall be made upon assignment and once per month thereafter until the chronometer is returned.
 - b. Observers shall record the results on the watch log accompanying each chronometer.
 - c. Upon completion of air speed timing enforcement, all chronometers and watch logs shall be returned to the Field Support and Aviation Section.
 - i. The Field Support and Aviation Section shall retain all watch logs in accordance with the approved agency specific retention and disposal schedules.
 - ii. Enforcement members shall contact the Field Support and Aviation Section for a copy of the watch log when needed for court appearances.

- J. When conducting air speed timing enforcement, observers shall verify the accuracy of each chronometer a minimum of twice daily, at the beginning and end of each shift, utilizing the following method.
- (1) The chronometer shall be checked against another chronometer for 15 seconds and the results recorded on the enforcement member's daily report.
 - (2) If a difference of more than 1/20th of a second is noted, a third chronometer may be used to determine which one is faulty.
 - (3) If the tolerance limit is exceeded, the chronometer shall be replaced.

17.5 TRAFFIC SPEED MEASUREMENT ENFORCEMENT GUIDE

17.5.1. ASSIGNMENT OF SPEED MEASUREMENT DEVICES

- A. The district or division commander shall assign speed measurement devices to the posts under his or her command.
- B. All speed measurement devices, including RADAR, LIDAR, and time-distance devices (VASCAR) shall be inventoried to the post where they are assigned.

17.5.2. POST TECHNOLOGY LIAISON OFFICER (TLO)

- A. Posts shall have a post "Technology Liaison Officer" (TLO). TLOs may be a trooper or sergeant assigned to the post.
- B. TLOs shall coordinate field testing, RADAR/LIDAR, in-car camera repair, and dissemination of RADAR/LIDAR/in-car camera information to post members.

17.5.3. INSTRUCTORS

- A. Michigan Commission on Law Enforcement Standards (MCOLES) certified speed measurement operators are eligible to become speed measurement instructors. Certification as a speed measurement instructor requires successful completion of an MCOLES approved speed measurement instructor course.
- B. Speed measurement instructors shall be certified to teach the "Speed Measurement Enforcement" course and the "Update/Recertification Course."
- C. The Training Division and each district shall have at least one certified speed measurement instructor.

17.5.4. OPERATOR TRAINING/CERTIFICATION

- A. Enforcement members whose duties involve the use of traffic speed measurement devices are eligible for speed measurement operator training. Enforcement members shall only operate a speed measurement device that he or she is certified to operate.

Probationary enforcement members do not receive speed measurement training during the recruit school. Probationary enforcement members who have prior law enforcement experience and are certified speed measurement operators retain this certification.

- B. Speed measurement operator training may be obtained from the following:
 - (1) An MCOLES approved training provider.
 - (2) Training Division.
 - (3) District speed measurement instructor.
- C. Successful speed measurement operator training requires 24 hours of instruction, including a written test, a field examination, 100 hours per year of speed measurement device use, and recertification every five years.
- D. Enforcement members shall follow the MCOLES standards for training, operation, and recertification of speed measurement devices.

17.5.5. ENFORCEMENT

- A. Every precaution shall be taken to ensure that the patrol car is not causing a traffic hazard when a speed measurement device is being operated.
- B. Enforcement action shall not be made on the basis of a speed measurement device speed reading alone. Supporting evidence (e.g., a complete tracking history of visual observation and estimation of speed, Doppler audio, target speed display, vehicle within operational area of the beam at the time the target's speed verification) shall be obtained in addition to the speed measurement device speed reading.
- C. A Uniform Law Citation, UD-008 or MC-008, for speed measurement device-timed speed shall contain the following designations in the space provided.
 - (1) MR for moving RADAR
 - (2) SR for stationary RADAR
 - (3) L for LIDAR

17.5.6. SERVICING SPEED MEASUREMENT DEVICES

- A. The Training Division's Precision Driving Unit shall maintain a current list of approved speed measurement device repair facilities.
- B. Enforcement members shall not attempt to repair a speed measurement device unit. Repairs shall be made by an approved speed measurement device repair facility.
- C. Prior to submitting a speed measurement device unit for servicing, it shall be screened by the post TLO. A Speed Measurement Device Service Request, UD-082, (enlisted members) or MC-082 (motor carrier), shall be prepared noting the deficiency.
 - (1) The original UD-082 (enlisted members) or MC-082 (motor carrier) shall be sent with the speed measurement device to an approved speed measurement device repair facility. A copy shall be retained at the post.
 - (2) The repair facility will forward an estimate for the repair to the Training Division, Precision Driving Unit, (enlisted members) or the CVED at Headquarters (motor carrier members). The Precision Driving Unit (enlisted members) or the CVED (motor carrier members) shall then determine if the speed measurement device will be

repaired or replaced based on cost of the repair and repair history and will provide direction on how to proceed.

- D. Questions concerning repairs, bills, warranty repairs, etc., shall be referred to the Precision Driving Unit or the CVED.
- E. All invoices and bills for payment for repair of a speed measurement device shall be forwarded to the Precision Driving Unit (enlisted members) or the CVED (motor carrier members) for payment. Work sites shall not pay invoices or bills for service to speed measurement devices.

17.5.7. PUBLIC INFORMATION

In areas where speed measurement devices are used, invitations to attend a demonstration of the speed measurement device should be extended to the prosecuting attorneys, judges, magistrates, and members of the press so they may become familiar with its operation. Members shall follow the guidelines set forth in Official Order No. 20 regarding contact with elected officials and members of the media.

17.6 OPERATOR AND CHAUFFEUR LICENSES AND ENDORSEMENTS

Information on an operator's or chauffeur's license may be found in [Chapter III of the Michigan Vehicle Code](#).

17.7 SPEED LIMIT ENFORCEMENT AND POLICY

To promote uniformity and effective enforcement of laws related to speed control, all enforcement members shall comply with the policy detailed in this section.

17.7.1. SPEED ENFORCEMENT

A. Pacing

Citations for exceeding the speed limit as a result of pacing shall not be issued unless the speedometer of the patrol vehicle has been calibrated pursuant to Official Order No. 10, Section 10.10. Proper enforcement when pacing another vehicle will depend on the enforcement member's good judgment.

B. RADAR and LIDAR

Refer to Section 17.5.4 for the proper use of RADAR and LIDAR.

17.7.2. TRAFFIC CRASH INVESTIGATION

- A. In many crash investigations, it is difficult to prove the speed violations involved. Therefore, it is suggested that citations under [MCL 257.627\(1\)](#), "VBSL (Violation of Basic Speed Law) failed to stop within assured clear distance" or [MCL 257.626b](#), "Careless Driving" are more appropriate if the elements of these violations can be proven.
- B. When a citation is issued for "VBSL, too fast or too slow for conditions," the estimated speed driven and the applicable speed at that location shall be listed on the citation pursuant to [MCL 257.633\(1\)](#). This estimation of speed shall be a conclusion based on an evaluation of tire marks, damage to the vehicle, and other physical evidence at the scene.

17.7.3. SPEED LIMITS

- A. Basic Speed Law [MCL 257.627\(1\)](#)
- B. Maximum and Minimum Speed Limit on Freeways [MCL 257.628\(3\)](#)
- C. Maximum Numerical Speed Limits [MCL 257.628](#)
- D. Maximum Commercial Vehicle Speed Limits [MCL 257.627\(4\)](#)
- E. School Bus Limits [MCL 257.627\(4\)](#)
- F. Bridges, Causeways, or Viaducts [MCL 257.631](#)
- G. Designated Work Zones [MCL 257.627\(6\)](#)

17.7.4. WORK, SCHOOL AND HOSPITAL ZONES

When an enforcement member cites a driver for a speed violation or any other moving violation within a work, school or hospital zone, the specific zone shall be identified in the "offense description" section of the Uniform Law Citation (UD-008) or Commercial Law Citation (MC-008).

17.7.5. EVIDENCE FOR MAXIMUM SPEED LIMIT VIOLATIONS

- A. Any speed in excess of the maximum limit is a violation regardless of existing conditions. It is not necessary for an enforcement member to testify with respect to existing conditions, but these should be recorded on the citation. The citation shall specify the speed at which the defendant is alleged to have driven and the applicable speed limit.
- B. Establishing speed limits other than what is provided by statute can be accomplished after a speed study is conducted and a traffic control order is issued. A public record shall be filed in the office of the county clerk for such modified speed limits to be valid. Each district headquarters maintains a file of these orders for reference purposes. A certified copy from the county clerk is needed when a speed violation is challenged for validity.

17.8 MUD FLAPS FOR COMMERCIAL VEHICLES

17.8.1. REQUIREMENTS

The requirement that certain vehicles be constructed, equipped, or operated to prevent water or other road surface substances from being thrown from the rear wheels of the vehicle is found in [MCL 480.25](#) of the [Motor Carrier Safety Act of 1963](#).

17.8.2. MEASUREMENTS

Enforcement members shall only take measurements to determine if fenders or mud flaps are required on a vehicle described in MCL 480.25 when the vehicle is unloaded. The following shall be used as a guide to assist enforcement members in taking measurements to determine whether a violation of MCL 480.25 has occurred:

- A. Measure from the point of the rear most tire-ground contact of the vehicle's rear tires, to a point directly below the rear of the body or bed.

- B. From this point, measure vertically five inches for each 12 inches of horizontal measurement.
- C. If the body or bed of the vehicle does not meet the upper most point of the vertical measurement, the vehicle requires a device to prevent water or road surface substance from being thrown back and up at an angle greater than 22 ½ degrees. The length is sufficient when the device reaches the 22 ½ degree line.
- D. The most accurate measurement is taken when the vehicle is unloaded.

17.9 GUIDANCE FOR LOSS OF POWER TO TRAFFIC SIGNALS

Responsibility for the maintenance of traffic signals rests with the road authority having jurisdiction over the intersection. Enforcement members do not have authority to compel action by the road authority, either to respond immediately or to post temporary traffic control devices.

17.9.1. RIGHT-OF-WAY RULES

Drivers approaching an intersection with a control signal that does not clearly indicate the right of way or is malfunctioning must generally treat the intersection as a four-way stop as described in [MCL 257.649](#). In some instances, enforcement members may be called upon to provide traffic control at intersections where signals have malfunctioned.

17.9.2. GUIDELINES TO ASSIST IN DETERMINING WHEN TO PROVIDE TRAFFIC CONTROL AT AN INTERSECTION WHERE SIGNALS ARE MALFUNCTIONING DUE TO A LOSS OF POWER

- A. Upon discovery of a traffic control signal without power, enforcement members shall notify dispatch of the situation, asking them to notify the appropriate road authority.
 - (1) Provide full details, including specific factors present that may affect the safe movement of traffic.
 - (2) Determine whether a crew will be sent to repair the signal immediately, activate a generator, or post temporary traffic control devices until the signal can be repaired.
 - (3) An enforcement member shall remain at the scene to control traffic until relieved by the road authority or unless otherwise directed by the shift supervisor.
 - (4) The shift supervisor shall determine whether the enforcement member shall remain on scene to control traffic based on whether a repair or sign crew will be available within a reasonable amount of time, traffic conditions, pending requests for services, and other operational matters.
- B. During an area-wide power loss affecting multiple traffic signals, the shift supervisor shall determine which intersections require traffic control by an enforcement member based upon the factors outlined in Section 17.9.2.(A)(4).

17.10 NONRESIDENT DRIVERS

17.10.1. OUT OF STATE OPERATOR'S LICENSE

For enforcement of license violations under [MCL 257.301](#) involving persons with a valid operator's license from another state, enforcement members should consider the possible exemptions listed under [MCL 257.302](#) and the definition of a resident as found in [MCL 257.51a](#).

- A. Enforcement action should generally not be taken against those living in another state and traveling to Michigan to work who do not obtain a Michigan operator's license but have a valid operator's license from another state. Enforcement action also should not be taken against a non-resident student who may be both living and working in Michigan on a temporary basis. Individual officer discretion shall be used depending on each individual circumstance.

17.10.2. OUT OF COUNTRY OPERATOR'S LICENSE

- A. A non-resident operator licensed in a foreign country has reciprocal operating privileges as provided under [MCL 257.302a](#).
- B. A person who is licensed to operate a vehicle in another country shall be allowed to operate a passenger vehicle in this state as long as he or she does not receive compensation for such operation.

- C. Foreign Driver's License

Enforcement members shall not confiscate or destroy a foreign (out of country) driver's license.

- D. Arrest of Foreign Nationals

Any Foreign National who is arrested and lodged for a misdemeanor traffic offense shall be handled in accordance with Official Order No. 14.

17.10.3. VEHICLE CODE VIOLATIONS

An enforcement member stopping a non-resident driver who has previously surrendered his or her Operator's license as security for appearance shall use discretion in determining whether to issue a citation for driving without a license in his or her possession.

17.11 DISMISSING CITATIONS AND CERTIFYING REPAIRS OF DEFECTIVE EQUIPMENT

17.11.1. DISMISSING CITATIONS

An enforcement member has no legal authority to dismiss a traffic citation. An enforcement member has authority to certify that certain violations have been corrected, and the court may then dismiss the citation.

- A. In each instance, the verifying enforcement member shall fill in the appropriate section on the back of the violator's copy of the citation, which shall then be returned to the motorist. Enforcement members shall instruct the motorist to follow the instructions on the citation and to contact the court at the telephone number listed at the bottom of the citation for further questions.
- B. Citations issued for equipment violations listing a section other than [MCL 257.683](#) shall not be certified at the post level. In this instance, the motorist shall be directed to contact the court listed on the citation.

17.12 SNOWMOBILES AND OFF-ROAD RECREATIONAL VEHICLES

The [Natural Resources and Environmental Protection Act](#) (NREPA), 1994 PA 451, provides for the regulation of motorized recreational vehicles. [Part 811](#) of the NREPA provides for registration and regulation of off-road recreation vehicles (ORV's). [Part 821](#) of the NREPA provides for the licensing and regulation of snowmobiles.

17.12.1. ENFORCEMENT POLICY

A. Reporting Arrests and Offenses for Off-Roadway Violations

- (1) Persons cited or arrested for a snowmobile or an ORV violation occurring off the roadway shall be cited or arrested under the NREPA, and shall be issued a UD-008, Uniform Law Citation.
- (2) The apprehension of juveniles for snowmobile or ORV violations shall be handled according to Official Order No. 31.
- (3) An incident report shall be submitted for all off-roadway snowmobile or ORV violations on the appropriate report form, with the exception of a civil infraction in which the person will be issued a UD-008.

B. On-Roadway Violations

If the violation overlaps the MVC and the NREPA, enlisted members shall use discretion subject to the guidelines listed below. The local prosecutor's policy should be sought and, if given, it shall take precedence over these guidelines.

(1) Types of Violations

a. Operator's or Chauffer's License Violations

- i. Discretion should be used when considering lodging a violator who does not possess his or her operator's or chauffeur's license, subject to the provisions in [MCL 257.727\(d\)](#).
- ii. Enforcement action may be taken in the event the operator has a suspended or revoked license, pursuant to [MCL 257.904](#).

b. Vehicle License and Registration Violations

- i. Many of the vehicles regulated under the NREPA, cannot be registered under the Michigan Vehicle Code (MVC). Therefore, a person operating a vehicle regulated under the NREPA that cannot otherwise be registered under the MVC on a public highway in violation of the NREPA shall not be cited for registration violations under the MVC.
- ii. Certain vehicle license and registration exemptions apply for special events. Refer to the NREPA for more specific information.

c. OWI/OWPD/OUID

The NREPA provides specific penalties for OWI/OWPD/OUID. Enforcement members shall use discretion when deciding under which NREPA or MVC

the offender shall be cited or arrested. Refer to Official Order No. 53 for further information.

d. Other Offenses

- i. Most other offenses found in the MVC are not appropriate in the event a snowmobile or ORV is operated on a public highway. Being on the highway itself is a violation to be reported under the NREPA. Exceptions might include reckless or careless driving. However, the local prosecutor's policy should be sought.
- ii. Enforcement members shall not cite for improper lane usage, equipment violations, and other moving violations, as the more specific violations of "operating a snowmobile on the roadway" or "operating an ORV on the roadway" is more appropriate.

(2) Reporting Arrests and Offenses for On-Roadway Violations

- a. If the enforcement member deems it appropriate to cite or arrest an offender under the Michigan Vehicle Code, the offender shall be issued a Uniform Law Citation, UD-008.
- b. If the enforcement member deems it appropriate to cite or arrest an offender under the NREPA, the offender shall be issued a Uniform Law Citation, UD-008, and for anything other than a civil infraction, an incident report shall be submitted.

17.12.2. SNOWMOBILE OR ORV CRASHES

- A. Crashes involving snowmobiles or ORVs resulting in an injury or death of any person, or property damage in an estimated amount of \$100 or more, shall be reported on a Traffic Crash Report, UD-010. A UD-010 shall be submitted regardless of where the crash occurred.
- B. Crashes involving snowmobiles or ORVs going through the ice on a lake or stream shall be classified as a non-traffic crash, not a water accident.

17.13 OVERSIZED (SUPER) VEHICLE LOADS OR EQUIPMENT

This section establishes policy for escorting oversized vehicle loads or equipment on the highways.

17.13.1. AUTHORITY

- A. Statute allows the Michigan Department of Transportation (MDOT) and various county road commissions to issue special permits authorizing oversized and/or overweight vehicle loads or equipment to operate on highways under their jurisdiction.
- B. When vehicles or equipment to be moved exceed certain dimensions, MDOT's Transport Permit Section requires that these vehicles or equipment have one or two private escorts.
 - (1) MDOT may request a police escort, but only for unusual circumstances.
 - (2) Local agencies that issue permits may have different policies on police escorts.

17.13.2. OVERSIZE (SUPER) VEHICLE LOAD ESCORTS

- A. While a police escort of oversized vehicle loads or equipment is required, local or county law enforcement agencies may be used at the requesting carrier's discretion. Enforcement members shall not be specifically required to provide an escort, except in cases of emergency or other unusual circumstances.
- B. Enforcement members who are requested by a permit holder to provide an escort shall instruct them to contact the Operations Section at 517-241-XXXX.
- C. All escorts shall be on an overtime basis and the department shall be reimbursed for all expenses by the requesting carrier.
- D. A minimum of two enlisted or enforcement members shall conduct the escort. One shall lead the escort and the other shall be the escort's trail vehicle.

When possible, for purpose of continuity, the same personnel may be assigned to escort oversize loads throughout the entirety of the route while on highways of this state.

- E. Motor Carrier Officer Responsibilities
 - (1) A motor carrier officer may be assigned to conduct an inspection of the oversized load prior to the escort being conducted.
 - (2) All inspections shall be conducted on an overtime basis and the department shall be reimbursed for all expenses by the requesting carrier.
- F. Operations Section Responsibilities
 - (1) Shall be the point of contact between the requesting carrier and the department.
 - (2) Shall ensure the carrier has the proper MDOT permits.
 - (3) Shall complete the Contractual Service Agreement form, UD-066, and obtain all required signatures.
 - (4) Once the UD-066 is completed, the Field Operations Bureau will obtain SIGMA accounting codes from the Budget and Financial Services Division that will be used to reimburse the affected post for the escort.
 - (5) Shall coordinate with the affected post to ensure that the necessary resources are available on the date and time which the vehicle escort is needed.
 - (6) Shall provide the SIGMA accounting codes to the effected post and CVED fiscal manager to ensure proper overtime reimbursement.

17.13.3. PERMIT ENFORCEMENT POLICY

- A. If the width, height, length or weight of a vehicle or load is in excess of what is stated on the permit, an enlisted member or a motor carrier officer shall issue a citation for the dimension violation.
 - (1) Over-length violations [MCL 257.719](#), Offense Code 8976.
 - (2) Over-width violations [MCL 257.717](#), Offense Code 8977.

- (3) Over-height violations [MCL 257.719](#), Offense Code 8978.
- (4) For weight violations, contact a motor carrier officer for assistance.
- B. Deliberate or intentional operation of a vehicle off the route specified by a permit shall be cause for voiding the permit and taking enforcement action as discussed in Section 17.13.3. A above.
- C. All other violations of any provision of a permit issued by MDOT such as signage, flags, times of operation, and speed shall be strictly enforced.
 - (1) Permit provision violations shall be cited as "Violation of Michigan Department of Transportation or local authority Permit" followed by the specific permit violation.
 - (2) The Offense Code shall be cited as 8970 or 8971, in violation of [MCL 257.719a](#) (Mobile Homes) or [MCL 257.725](#) (all others), as applicable.
- D. Motor carrier officers shall be contacted for assistance when technical or permit questions arise.

17.14 LOGBOOK VIOLATIONS

Log book violations including contents, filing, inspection, and display are provided for in the [Motor Carrier Safety Act of 1963](#), MCL 480.11 - 480.25, as amended.

- A. Only the driver may be issued a citation for a logbook violation.
- B. A Uniform Law Citation, UD-008 or MC-008, citing [MCL 480.17](#) shall be used to record log book violations issued to drivers.
- C. If an enforcement member finds evidence of additional hours-of-service violations that show continual non-compliance, the enforcement member shall submit a request, along with the evidence gathered, to the CVED for a company records investigation. Enforcement of company violations shall follow this procedure.
- D. Before taking enforcement action, an enforcement member should review [Section 395.1 of the FMCSR](#), for additional exceptions to the hours of service requirements.

17.15 ENFORCEMENT POLICY FOR RAILROAD LAW

In an effort to reduce railroad related crashes and increase public awareness to the seriousness of this problem, violations involving railroad safety shall be strictly enforced. Grade crossing violations shall be submitted on a Uniform Law Citation, UD-008 or MC-008.

A. Heavy Equipment

Any damage to a crossing by a person operating a caterpillar tractor, steam shovel, derrick, roller, boiler, machinery, or other equipment that has an operating speed of less than 5 miles-per-hour due to its size, shall be reported immediately to the appropriate railroad by the investigating enforcement member.

17.15.1. PARKING VIOLATIONS

Parking violations issued either to the registered owner of the vehicle, or the operator of the vehicle, pursuant to [MCL 257.675c](#), shall be submitted on a Uniform Law Citation, UD-008 or MC-008.

17.15.2. TRESPASSING VIOLATIONS ON RAILROAD RIGHT-OF-WAY

A. ORVs and Snowmobiles [MCL 324.81133\(m\)](#) and [MCL 324.82126\(i\)](#)

Enforcement of the above statutes shall be strictly enforced. Trespassing violations shall be submitted on a Uniform Law Citation, UD-008, in accordance with local policy, or in the case of a juvenile, according to established procedures listed in Official Order No. 31.

B. Other Motor Vehicles and Pedestrians [MCL 462.273](#)

Enforcement of the above statute shall be strictly enforced. All trespassing violations shall be submitted on a Uniform Law Citation, UD-008, in accordance with local policy, or a juvenile apprehension report if the violator is a juvenile.

17.15.3. TRAIN VIOLATIONS

A. Obstruction of Traffic

Enforcement members should be aware that [MCL 462.391](#), which prohibited trains from blocking a street or highway under certain circumstances, is unenforceable because it has been held to be preempted by the federal regulations. [CSX Transp., Inc. v. City of Plymouth](#), 283 F.3d 812 (6th Cir. (Mich.) 2002). Therefore, enforcement members shall not take enforcement action on trains obstructing traffic.

B. Operating a Train Under the Influence

An enforcement member seeking to enforce alcohol or drug related offenses against an employee of the railroad under any circumstances involving a rail-related incident shall first consult with his or her local prosecutor and do so jointly with the involved railroad police authority.

(1) Chemical test procedures – [MCL 462.359](#)

- a. Do not read Chemical Test Advice of Rights.
- b. Miranda rights shall be read to the arrested person prior to requesting a chemical test.
- c. The enforcement member chooses the type of test to be given.
- d. The arrested person shall be advised that if he or she refuses the request of the enforcement member to take a chemical test, a test shall not be given without a court order.
- e. A person who takes a chemical test shall be given a reasonable opportunity to have a person of his or her own choosing administer one of the chemical tests described within a reasonable time after his or her detention. The arrested person shall be informed that after taking a test administered at the request of an enforcement member, he or she has the right to demand that a person of his or

her own choosing administer one of the tests provided for in this section, that the results of the test shall be admissible and shall be considered with other competent evidence in determining the innocence or guilt of the defendant, and that the arrested person shall be responsible for obtaining a chemical analysis of the test sample.

- f. A written report shall be forwarded by the enforcement member to the United States Department of Transportation, which shall state:
 - i. That the enforcement member had reasonable grounds to believe that the person had committed a crime (OWI, Per Se, or Impaired), and
 - ii. The results of the test.

(2) Chemical test refusal – [MCL 462.363](#)

- a. A written report shall be forwarded by the enforcement member to the United States Department of Transportation. The report shall state that the enforcement member had reasonable grounds to believe that:
 - i. The person had committed a crime described in [MCL 462.361](#),
 - ii. That the person had refused to submit to the test on the request of the enforcement member, and
 - iii. The person had been advised of the consequences of the refusal.
- b. The enforcement member should request a search warrant for the person's blood per local prosecutor policy.

(3) Deceased operator – [MCL 462.359\(10\)](#)

- a. If after a crash the operator of a train involved in the crash is deceased, a sample of the decedent's blood shall be withdrawn by the medical examiner or attending personnel of the medical facility in a manner directed by the medical examiner for the purpose of determining blood alcohol content, or the presence of a controlled substance, or both.
- b. In the absence of railroad police or authorities, the investigating enforcement member shall inform the medical examiner that two samples of blood need to be withdrawn: one to be submitted to the Michigan Department of State Police using the standard alcohol specimen collection kit, and the other to be submitted to the Federal Railroad Administration in a specimen kit provided by the involved railroad, pursuant to [49 CFR 219.207](#).

(4) Enforcement: Violations shall be written on a Uniform Law Citation, UD-008, and a warrant sought through normal procedures. Local prosecutor policy shall be adhered to in lieu of this section. To make an arrest, the following procedures have been established:

- a. Determine who was operating the train.
- b. Perform standard sobriety tests.
- c. A preliminary breath test may be administered, but a refusal is not a violation.

- d. Lodge the offender in the county where the offense occurred or turn the offender over to his or her supervisor or the investigating railroad authorities.
- e. Interim bond shall not be taken.

17.15.4. DERAILMENT AND LOAD SPILLAGE

- A. All non-passenger trains have the potential of carrying hazardous materials. In any derailment or crash situation, enforcement members should approach and handle the scene in accordance with hazardous materials, first responder awareness training. The following procedures should be used:
 - (1) Contact the involved carrier at the carrier's emergency telephone number as soon as possible to determine if hazardous materials are involved.

See Section 17.16 for a listing of emergency railroad contacts.
 - (2) Contact the train crew as soon as possible if it can be done safely.
 - (3) The enforcement member should look for hazardous materials placards on the rail cars.
 - (4) The scene should be secured to prevent access by the public.
- B. FOR ALL INCIDENTS INVOLVING HAZARDOUS MATERIALS, IMMEDIATELY CONTACT MICHIGAN STATE POLICE OPERATIONS SECTION AT 517-241-XXXX, AND THE DEPARTMENT OF NATURAL RESOURCES POLLUTION EMERGENCY ALERT SYSTEM AT 800-292-XXXX.

17.16 RAILROADS OPERATING IN MICHIGAN AND EMERGENCY CONTACTS

For a list of railroads operating in Michigan and their emergency contacts, [click here](#).

17.17 ENFORCEMENT OF LOCAL ORDINANCES

This section establishes policy and procedures for enforcement of local ordinances by enforcement members. Enforcement members may enforce local ordinances in accordance with this section.

17.17.1. ENFORCEMENT AUTHORITY

- A. Where organized police departments are maintained, the department's role shall be limited to assistance upon request. Refer to Official Order No. 4 for specific instructions regarding strike procedures and civil process.
- B. Where no local police department exists, enforcement members may take enforcement action on local ordinances only as follows:
 - (1) When the post commander has met with the local county prosecutor and city or township attorney and a determination has been made that violations of local ordinances will be prosecuted by a specific jurisdiction.

When a request is received from a municipality or a citizen to enforce local ordinances, and a doubt exists regarding the advisability of enforcement of the ordinance, the matter shall be referred to the post and/or district commanders for

resolution. In the event an extraordinary situation develops which merits the attention of headquarters, the matter shall be referred to the division commander for resolution.

- (2) When requested to take enforcement action by a citizen or the municipality or when an enforcement member witnesses the violation.
 - (3) When enforcement members have read, understood, and have ready access to a copy of the local ordinance they are to enforce.
 - (4) When the views of the appropriate city, township, or county attorney and judge are known regarding the validity of the ordinance.
 - (5) When assigned to special details (e.g., Mackinac Island) and the enforcement member has personal knowledge of the validity of the ordinances and has been assigned to the detail to enforce said ordinances.
- C. An offense of a questionable nature, in which enforcement members would not normally become involved, shall not be acted on unless a valid complaint and criminal warrant has been issued.
- D. When subjects are arrested for a violation covered by both state law and local ordinance, the state law shall be used for enforcement.

17.18 REVISION RESPONSIBILITY

Responsibility for continued review and revision of this Order lies with the Field Operations Bureau (Commercial Vehicle Enforcement Division, Special Operations Division) and Field Support Bureau (Intelligence Operations Division), in cooperation with the Executive Operations.

DIRECTOR