

	<h1>Garner Police Department</h1> <h2>Written Directive</h2>	
	Chapter: 800 - Operations	
	Directive: 830.06 - Traffic Ancillary Services	
Authorized by: Chief Brandon Zuidema		Effective Date: January 1, 2017
CALEA Standards: 61.4.1, 61.4.2, 61.4.3, and 61.4.4		Last Revision: October 1, 2015

830.6.1 – Purpose

This directive serves as a guideline for the Department’s handling of the many diverse traffic-related ancillary services. These services are activities that have an indirect effect on traffic flow and are often responses to citizen-generated requests for assistance.

830.6.2 – Policy

It is the policy of the Garner Police Department to provide for the delivery of traffic-related ancillary services that have an indirect effect on vehicular and pedestrian traffic. These services include providing general assistance, public information and directions, identifying and reporting roadway hazards, checking abandoned vehicles, and locating and recovering stolen vehicles. These responsibilities are shared by all Departmental personnel, both uniformed and non-uniformed.

830.6.3 – Assisting Motorists (61.4.1)

- A. Because of the overall danger to the stranded or disabled motorist, and to the motorist on the highway potentially affected by the stranded or disabled motorist, the Department offers reasonable assistance at all times to motorists who appear to be in need of aid. This applies at all hours of the day.
- B. Officers will be constantly alert for and provide assistance to highway users who appear to be in need of assistance. If the officer is already on a call for service and observes a stranded or disabled motorist he/she will notify communications of the motorist’s location to assure assistance is dispatched.
- C. The types of assistance provided to motorists by the Department include, but is not limited to:
 - 1. Providing public information and direction;
 - 2. Obtaining mechanical assistance or towing service;
 - 3. Providing protection to stranded motorists;
 - 4. Providing emergency assistance to roadway users;
 - 5. Identifying and reporting road hazards or potential hazards;
 - 6. Checking and removing abandoned vehicles; and
 - 7. Distributing traffic safety educational materials.

830.6.4 – Disabled Motorists (61.4.1)

- A. When an officer encounters a disabled motorist, the officer will determine what assistance is necessary and make every effort to obtain or render the needed assistance.
- B. The following are areas that may fall within the scope of assistance that can be rendered:
 - 1. Changing a flat tire;
 - 2. Requesting a wrecker by:
 - a. Owner's or operator's request (choice); or
 - b. Departmental rotation (as outlined in section 830.6.10 of this policy).
 - 3. Requesting RWECC call another person;
 - 4. Jump starting a dead battery;
 - 5. Assisting the motorist with obtaining gasoline; and/or
 - 6. Transporting a motorist to a location where assistance may be obtained. When transporting a member of the opposite sex, the starting and ending vehicle mileage and final destination are relayed to RWECC by the officer;
- C. The following are areas where assistance cannot be rendered or may only be rendered in specific circumstances:
 - 1. The Department only responds to vehicle unlocks that meet the following criteria:
 - a. There is a child locked inside the vehicle,
 - b. There is an animal locked inside vehicle,
 - c. The vehicle engine is running, or
 - d. A special circumstance with approval from a supervisor.
 - 2. Officers are prohibited from attempting any repairs to a vehicle due to the potential for liability on the officer and the Department for any damage caused.

830.6.5 – Stranded Motorists (61.4.1)

- A. Stranded motorists should not be left unattended when they appear to be exposed to hazardous situations. Due consideration shall be afforded to stranded motorists based on factors that contribute to hazardous conditions such as location, time of day or night, weather, and the current level and priority of calls for service.
- B. Procedures:
 - 1. Department personnel will make arrangements through RWECC to obtain a taxi or summon help for a disabled motorist or pedestrian.
 - 2. Department personnel may transport citizens residing within the Garner town limits to their home. Persons residing outside the Garner town limits may be transported to their residence with approval from a supervisor.

3. If assistance cannot be obtained for the citizen, the citizen may be transported to the Police Department where a telephone is available.
 4. During adverse weather conditions, Department personnel will make an effort to transport or to arrange for transportation to a place of safety for persons who are stranded. This will include pedestrians who may need assistance in obtaining shelter.
- C. While assisting stranded motorists, officers should be aware of the following:
1. The vehicle in the possession of the motorist may be being used without authorization;
 2. The vehicle may be in an unsafe operating condition;
 3. The motorist may be incapable of operating the vehicle safely; and
 4. The vehicle's occupants may have been engaged in recent criminal activity.
- D. Officers who assist stranded motorists will notify RWECC and request an incident number.

830.6.6 – Emergency Assistance to Motorists (61.4.1)

- A. When the assistance to be rendered to a stranded or disabled motorist is of an emergency nature, the officer will call RWECC for the assistance needed (fire, medical, mechanical, etc.) and will remain with the motorist until such assistance arrives.
- B. The officer may render emergency assistance in the form of medical first aid and fire suppression.
- C. The officer will act as a communications link to ensure a rapid and timely response to the motorist.

830.6.7 – Medical Emergency Escorts

No emergency escorts will be provided. If an emergency exists, the patient will be transferred to an ambulance.

830.6.8 – Hazardous Highway Conditions (61.4.2)

- A. The following constitute hazardous highway and/or environmental conditions:
 1. Defects in the roadway itself (holes, ruts, or dangerous shoulders);
 2. Lack of, or defects in, highway safety features (e.g., centerline and fog line striping and reflectors) or improper, damaged destroyed, or visually obstructed traffic control and information signs;
 3. Lack of traffic control or 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 or information signs;
 4. Lack of mechanical traffic control devices or improperly located or malfunctioning traffic control devices;
 5. Lack of roadway lighting systems or defective lighting systems;
 6. Natural or man-caused obstructions (fallen trees and rocks, litter, debris, parts of vehicle, broken water mains and electrical wires);

7. Ice or heavy snow accumulations on roadway surface;
 8. Fire and its attendant smoke in areas adjacent to the highway; and
 9. Vehicles parked or abandoned on or near the roadway.
- B. The following procedures shall be followed in identifying, reporting, and correcting hazardous roadway, roadside, or environmental conditions:
1. When a hazard is identified and requires immediate correction (such as a fallen tree or electrical wire across or on the roadway), the officer shall notify RWECC of the situation immediately and identify the assistance or special equipment/agency required. He/she shall protect the scene and bystanders, direct traffic and/or take any other action deemed necessary to correct the situation.
 2. When a hazard is detected that represents a potential accident situation but the threat of such is not imminent, as in the case of a fallen tree limb, the officer will pass this information on to RWECC. RWECC will notify the North Carolina Department of Transportation, Garner Public Works or other appropriate authorities to have the situation corrected. If the officer can correct the situation, he/she is authorized to take the appropriate action to do so.

830.6.9 – Abandoned Vehicles (61.4.3)

- A. Vehicles found to be in violation of N.C.G.S. 153A-132 or TOG Code Article V, Section 10-114 will be considered abandoned or junked accordingly.
- B. Upon discovery of a junked or abandoned vehicle, the officer shall inspect the vehicle to determine the reasons for abandonment (out of gas, mechanical failure, etc.) and take action as follows:
1. If needed, place flares around the vehicle to warn oncoming traffic of the hazard.
 2. Check the roadway in all directions for the owner or occupants.
 3. Check to see if the vehicle is entered in DCI.
 4. Contact with the registered owner should also be attempted by going to the residence, sending another unit or agency or by telephone communication.
- C. If the occupant(s) or owner(s) cannot be located or contacted within a reasonable time and the traffic hazard still persists, then the vehicle should be removed.
- D. If the occupant(s) or owner(s) cannot be located and the vehicle does not pose a traffic hazard, the officer should affix an Abandoned Vehicle Tag (GPD 830.6-E) to the vehicle and enter the information into the Tag Vehicle File for follow-up within the designated 48 hours or 7 day period.

830.6.10 – Towing of Vehicles (61.4.2)

- A. Towing/Wrecker Services:
1. Towing/wrecker service in Garner is set up on a rotation agreement made between the Department and the private wrecker companies. Any wrecker service interested in participating in the rotation must complete a *Rotation Wrecker Application* (GPD form 830.6-A) and submit it to the Traffic Safety Sergeant.
 2. The next available rotation wrecker will tow vehicles unless circumstances dictate otherwise. When requesting wrecker services for a citizen who has a preference for a particular company other than the contract company, the officer will specify that the tow is at the owner's request.

3. Vehicles towed by a rotational service are to be taken to the storage facility of that service unless otherwise specified by the owner/operator or requesting officer.
- B. Officers may tow a vehicle only if it is in violation of N.C.G.S. 153A-132 or TOG Code Article V, Section 10-114 and/or presenting a hazard to public safety and/or interfering with the flow of traffic. Officers shall attempt to make contact with the registered owner or operator of the vehicle prior to requesting a wrecker to remove the vehicle.
- C. If the operator of a vehicle is arrested, he/she will be allowed to determine the disposition of the vehicle if it is not otherwise subject to impoundment.
1. Should the vehicle be located on private property, the officer should seek the property owner's permission prior to leaving the vehicle;
 2. If the owner/operator is not present when the vehicle is towed, officers will proceed with a vehicle inventory as outlined in GPD directive 810.08 – *Search and Raid Operations*.
 3. Unless otherwise directed, the private towing firm will release the towed vehicle to the owner upon proper identification. Any vehicle holds or other special instructions should be indicated on the vehicle tow report by the officer handling the investigation.
- D. When an officer has probable cause to believe that a vehicle contains evidence of a crime or was used in a criminal act, the vehicle may be towed and stored as evidence with prior supervisory approval.
- E. Stolen Vehicles:
1. Care should be taken not to destroy any evidence.
 2. A decision must be made on where to process the vehicle. This decision should be based on the availability of CCBI Agents, the location, the circumstances of the recovery and any other relevant information available at the time.
 3. Officers recovering stolen vehicles will tow and store the vehicle using a rotation wrecker service unless directed otherwise by the investigating agency.
- F. If impoundment of a vehicle is necessary, the officer must comply with N.C.G.S. 20-219.14, which requires the officer authorizing the tow to notify the last known registered owner immediately.
1. The owner or other person entitled to possession may request a hearing to determine if probable cause existed to tow.
 2. This law applies to all towing except:
 - a. Where the vehicle is seized for evidence or forfeiture,
 - b. Seizure under an execution,
 - c. Junked or abandoned vehicles, under N.C.G.S. 153A-132, and N.C.G.S. 160A-303, and
 - d. Vehicles towed from the property of institutions of higher learning, where other laws govern notification and post-towing hearings.
- G. Whenever a vehicle or vehicles are removed or towed at the direction of an officer, a Vehicle Tow/Impound report will be completed in the Records Management System.

1. This report will provide a record of the time, date, location, requesting officer, reason for removal or tow, towing service, location of the vehicle and notification (or attempts) of the registered owner.
2. If the vehicle is towed and/or stored, and the owner cannot be notified, then the vehicle is to be entered in DCI as a recovered vehicle.

830.6.11 – Traffic Safety Educational Materials (61.4.4)

The Department's Traffic Safety Unit maintains educational materials on traffic safety. Dissemination of these materials will be done through appropriate programs sponsored by the Department.

830.6.12 – Push Bumpers (61.4.4)

- A. Officers may use push bumpers to move vehicles when they need to quickly open the roadway to expedite traffic flow for public safety and/or allow officers to quickly clear and respond to other calls. Officers should first attempt to push the vehicle from the roadway by hand before utilizing push bumpers.
- B. Authorized Uses of Push Bumpers
 1. Push bumpers may be used to move vehicles in emergency situations. For example, to open a route for police, fire, EMS or other emergency personnel.
 2. Push bumpers may be used to assist in moving a citizen's stalled vehicle to a place of safety.
 3. In order to reduce potential traffic hazards and to assist those citizens who do not have the necessary means to alleviate existing emergencies, marked patrol vehicles equipped with push bumpers may be utilized to push vehicles to an immediate place of safety onto the shoulder or curb of the road, provided that:
 - a. The vehicle is disabled and creating a safety hazard;
 - b. It is in the best interest of public safety to push the vehicle rather than wait for a tow truck; and
 - c. The vehicle can be pushed a short distance without damaging either the agency vehicle or the disabled vehicle.
 4. To prevent a vehicle from moving that poses a danger to the safety of others.
 5. Only officers who have successfully completed department approved training may use push bumpers.
- C. Release of Liability
 1. Prior to pushing the vehicle, a Vehicle Waiver Form (830.6-B) shall be completed and signed by the vehicle owner/operator.
 - a. The officer shall request a CFS/Call ID number to be assigned to the form;
 - b. The officer should activate their in-car camera system to record the incident and any prior damage to the vehicle.
 - c. The officer should also physically inspect the disabled vehicle for pre-existing damage, indicating same on Vehicle Waiver Form, prior to utilizing the push bumper.
 2. If the vehicle owner/operator of the vehicle refuses to sign the Vehicle Waiver Form and the vehicle is located on:

- a. A state maintained road, NCGS § 20-161 authorizes any investigating law enforcement officer, with the concurrence of the Department of Transportation, to immediately remove or cause to be removed from the State highway system any wrecked, abandoned, disabled, unattended, burned, or partially dismantled vehicle, cargo, or other personal property interfering with the regular flow of traffic or which otherwise constitutes a hazard. The officer shall NOT be held criminally or civilly liable for any damage or economic injury related to carrying out or enforcing the provisions of this statute.
- b. A town maintained street, TOG Code Section 10-121 authorizes the removal of an abandoned, nuisance or junked motor vehicle to eliminate traffic obstructions or to otherwise maintain and protect the public safety and welfare.

D. Authorized Vehicles

1. Authorized vehicles to be pushed include any car, light truck (SUV, pick-up, etc.) or vehicles equipped with a bumper or push stop area in the front or rear of the vehicle. It is recommended that whenever possible, the vehicle be pushed from the rear.
2. Push bumpers may not be used on the following types of vehicles:
 - a. Vehicles not equipped with a bumper or push stop area that correctly matches up with the agency's vehicle;
 - b. Vehicles that have a gross vehicle weight (GVW) of more than 5500 lbs;
 - c. Vehicles attached to any type of trailer or other vehicle;
 - d. Oversized vehicles, large vans, trucks, buses or any vehicle the officer believes may be damaged or compromise safety to attempt to move; and
 - e. Vehicles requiring a push start.
 - f. Vehicles with tow hitches or similar devices that protrude and cannot be removed prior to being pushed.
3. Agency vehicles shall not be used to tow or push disabled vehicles to service stations, garages, telephones, or other extended distances. If the citizen requests assistance from an officer and the citizen's vehicle poses no hazard to other persons or vehicles, the officer shall advise the citizen to contact a private repair or towing service. If there is no telephone available, the officer shall offer to call a tow truck.

E. Procedures for the Use of Push Bumpers

1. Agency vehicles equipped with an authorized push bumper which is firmly secured and padded may be used to push vehicles.
2. The officer shall activate emergency lighting and have all traffic stopped.
3. The officer shall reasonably determine if the disabled vehicle may be pushed a short distance without damaging either vehicle.
4. The vehicle to be pushed must have a bumper or push stop area that is in proportional height of the push bumper of the agency vehicle.

5. The agency vehicle's push bumper shall be brought carefully to rest against the bumper of the disabled vehicle.
6. The officer shall reasonably ascertain that no damage will be caused by contact between the two vehicles.
7. A disabled vehicle may only be pushed in a straight line. At no time shall officers push a disabled vehicle while making sharp right or left turns.
8. The officer shall instruct the disabled vehicle operator in the procedures to be followed prior to, during, and after the push. If the officer has any doubts as to whether the operator has the ability to understand the instructions or control the vehicle, the vehicle shall not be pushed.
9. The operator of the disabled vehicle shall be advised of the following:
 - a. To place the vehicle in neutral to prevent damage to the engine or drive train;
 - b. To not apply the brakes while being pushed due to the possibility that damage may occur;
 - c. Their power steering and/or power brakes will not be working;
 - d. To make sure the steering wheel is unlocked;
 - e. The destination of the push;
 - f. To raise their hand when ready for the push to begin.
10. The agency vehicle shall give the disabled vehicle only enough momentum during the push to allow the operator to coast into the turn. The speed should not exceed 5 - 10 MPH as faster speeds may activate the airbag(s) in bump contacts.
11. Once the push has been made, the agency vehicle shall disengage, allowing the disabled vehicle operator the control to coast to a position in which the hazardous condition is eliminated.
12. Whenever a second "push" is necessary, the officer shall be required to complete same in accordance with the provisions of this Directive.
13. Officers shall use their discretion when pushing any vehicle. No push shall proceed further than necessary to alleviate the immediate hazard. If the push is going to be excessive in length, unsafe or will likely cause damage, then a tow truck shall be called to remove the vehicle from the roadway, or the vehicle operator shall make other arrangements to have the vehicle removed prior to the officer leaving the scene.
14. The officer shall conduct a physical post inspection of the vehicle, noting the existence or non-existence of new damage to the disabled vehicle or agency vehicle:
 - a. If no damage occurred to either vehicle, the Vehicle Waiver Form shall be submitted to the Records Division.
 - b. If damage occurred to either vehicle during the push, the officer shall immediately notify the on-duty patrol supervisor. The supervisor shall be responsible for completing an accident report and taking photographs of the damage for an AIM entry. If the push bumper or disabled vehicle receives minor damage or scratches in the designated contact point, that is to be expected and is not considered an accident for reporting purposes.