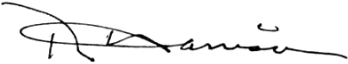


TEXARKANA POLICE DEPARTMENT

GENERAL ORDERS MANUAL

SUBJECT	Traffic Law Enforcement Procedures		
NUMBER	1107.04	EFFECTIVE DATE	July 20, 2017
Scheduled Review Date	August 30, 2018	ISSUE DATE	July 20, 2017
Date Reviewed	July 20, 2017	REVISION DATE	July 20, 2017
APPROVED BY		ALEAP Standards	7.23; 7:30; 13.09

I. Purpose and Scope

- A. The purpose of this policy is to establish procedures for members of the Texarkana Police Department to follow while enforcing traffic laws and ordinances.

II. Policy

- A. One of the goals of the Texarkana Police Department is to reduce the incidence of traffic collision and facilitate the safe and expeditious movement of vehicle and pedestrian traffic. This can best be accomplished by implementing law enforcement programs designed to encourage voluntary compliance with traffic regulations.
- B. It shall be the policy of the Texarkana Police Department to implement strategies that support traffic enforcement efforts targeted directly towards specific target problems rather than focusing on enforcement strategies that merely generate high numbers of traffic citations.
- C. All department personnel shall recognize and adhere to the guidelines contained within this policy. Supervisors will ensure compliance with this policy wherever applicable.

III. Procedures

- A. The enforcement of traffic regulations can take several different forms: written warnings; issuance of traffic citations; or the physical arrest of the violator. The action selected should always be the option that best provides for the safety of the public, discourages repetitive violations of the same traffic related offense and causes the least inconvenience to the violator. Consistent with the Texarkana Police Department's philosophy regarding officer discretion, the following guidelines are provided:
 1. Officer are authorized to issue written warnings as a proper enforcement alternative in response to a minor traffic infraction committed in those areas where the potential or incidence of a traffic collision is minimal. Warnings may be substituted for citations when, in the judgment of the officer, such circumstances are warranted.
 2. Consistent with the tenets of officer discretion, officers of the Texarkana Police Department are authorized to issue traffic citations for infractions of the Arkansas Traffic Code.
 3. Whenever practicable, officers are encouraged to make physical arrests under the following circumstances:

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- a. Violators suspected of driving while intoxicated, except when the offender is hospitalized or similarly incapacitated as a result of the offense.
 4. Officers shall make physical arrests under the following circumstances:
 - a. Whenever a felony has been committed involving a vehicle; and
 - b. Whenever the driver attempts to elude a law enforcement officer.
 5. Refusal to sign a citation, **does not**, by itself, warrant the physical arrest of the violator.
- B. There will be times pursuant to a traffic stop the officer will discover the violator is not a resident of the State of Arkansas, is a juvenile, a legislator, a United States Congressman, a foreign diplomat or a member of the Armed Forces. The type of violator in part dictates the type of enforcement action available. The officer must then choose among the various enforcement options available, including full custodial arrest, issuing a citation or simply releasing the driver with a written warning.
1. Any violator who is in possession of a valid operator's license from another state will not be required to post an appearance bond, except for violations of offenses that would result in suspension or revocation of an operator's license in this state.
 2. Juveniles may be issued traffic citations for violations of traffic laws. These citations will be handled in the same manner as any other citation.
 3. A.C.A. §16-81-102 states that members of the Arkansas Legislature, their clerks, and certain other officials associated with the Legislature shall be exempt from arrest while the General Assembly is in session.
 - a. This exemption extends fifteen days prior to and fifteen days following the conclusion of the session. Likewise, Section 6 of the United States Constitution prohibits the incarceration of a member of Congress while travelling to or from Congress. (However, the limited detention of a Congressman for driving while intoxicated was upheld).
 4. Foreign diplomats, who possess diplomatic identification issued by the U.S. State Department, are immune from arrest or detention. Issuing a citation for a traffic violation would not be considered a detention; however, warnings are encouraged for non-hazardous violations.
 - a. Should an officer encounter a foreign diplomat pursuant to a stop for a violation such as driving while intoxicated, the officer should contact a supervisor and pursue alternatives to arrest. For more information regarding responses to diplomatic encounters, refer to *General Order 1102.07---Diplomatic and Consular Related Immunity*.
 5. A.C.A. §12-62-407 states those members of the military with official insignia displayed, while on authorized duty, shall not be restricted by municipal traffic regulations. In addition, military personnel are exempt from licensing requirements while operating a vehicle of the armed forces.
 6. When issuing a traffic citation to a violator, the issuing officer shall provide the violator with the location, date and time of the scheduled court appearance along with any other information that may be pertinent to the root offense that necessitated the issuance of the traffic citation.
 7. Traffic Radar Operations [ALEAP 13.09](#)
 - a. Officers using Texarkana Police Department radar units shall first successfully complete a CLEST approved Police Traffic Radar course.

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