

## Chapter 5 - Traffic

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### • 5-05/000.00 - Traffic Administration

Unit Commanders are responsible for the administration of traffic programs within contract cities and for ensuring that appropriate action is taken in all Station/Unit areas when violations are observed and traffic collisions are reported.

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### • 5-05/000.05 - Traffic Supervisor

The Unit Commander shall appoint a Lieutenant or Sergeant as the Station/Unit traffic supervisor. The traffic supervisor shall:

- Ensure traffic training of personnel;
  - Ensure supervision of traffic Units;
  - Conduct specialized follow-up traffic investigation;
  - Review Traffic Collision Reports (CHP-555);
  - Review completed Notice to Appear (SH-CR-66) and Notice of Parking Violation (SH-CR-67) citations;
  - Develop, maintain and supervise a selective enforcement program;
  - Gather, maintain, analyze and display statistical traffic data;
  - Gather, analyze and forward statistical information to the Traffic Services Detail on a monthly basis;
  - Supervise and assist Deputies at the scene of serious injury and fatal traffic collisions which occur within the Station's/Unit's patrol area; and
  - Provide assistance as needed, to members of the Traffic Collision Response Team investigating any employee-involved traffic collision within the Station's/Unit's patrol area.
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### • 5-05/000.10 - Professional Standards Division, Traffic Services Detail

The Traffic Services Detail shall:

- Be notified and respond to investigate any traffic collision which involves a Department vehicle or Department on-duty employee when there is a death resulting from any collision, pursuit, Code 9 - surveillance mode, and/or Code 3 operation;
  - Be notified and evaluate the need to respond and investigate any traffic collision which involves a Department vehicle or Department on-duty employee when there is complaint of pain, injury, death, substantial property damage, or any collision which results from a pursuit Code 9 - surveillance mode, and/or Code 3 Operation;
  - Be notified and evaluate the need to respond and investigate any traffic collision resulting in fatal injury or any persons in death-imminent status that occurred in an area where the investigation is the responsibility of the Department;
  - Staff the Department's Traffic Collision Response Team;
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- Perform the staff responsibilities for the Executive Risk Review Committee;
  - Assist other units with the investigation of any traffic collision when collision reconstruction expertise is needed to support a complaint for vehicular manslaughter or other criminal charges;
  - Develop traffic-related Department policies and procedures;
  - Assist Training Bureau with the implementation and presentation of all formal traffic training programs;
  - Coordinate the Department's Commercial Vehicle Enforcement Program,
  - Provide stations/units with technical expertise for traffic collisions involving commercial vehicles or hazardous materials;
  - Approve the design of Notice to Appear (SH-CR-66) and Notice of Parking Violation (SH-CR-67) citations;
  - Develop standardized Department forms for traffic enforcement;
  - Review all traffic-related grant proposals;
  - Provide stations/units with technical assistance in traffic enforcement;
  - Provide stations/units with in-service traffic training;
  - Provide stations/units with assistance in analyzing traffic statistics;
  - Maintain all Department pursuit- and traffic-related data as well as distribute periodic statistical reports;
  - Maintain liaison with other traffic-related agencies;
  - Participate in command inspections of each station's/unit's traffic program;
  - Prepare and distribute indexed briefings on traffic-related issues;
  - Monitor all employee-involved traffic collision reports;
  - Develop educational programs addressing driving safety issues based on the tracking of collisions and vehicle incidents which identify groups and trends.
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### • **5-05/000.15 - Forms Supply**

Stations and Units shall obtain forms through Central Supply, who shall be responsible for maintenance of stock, control and issuance of the following:

- Traffic Collision Report forms (CHP-555, CHP-555-03, CHP-556);
  - California Highway Patrol Collision Investigation Manuals; and
  - Department of Motor Vehicle forms;
  - Administrative Per Se Order of Suspension (DL-360);
  - Officer's Statement Sections 13353.2 and 13353 Vehicle Code (DL-367); and
  - Supplement to Officer's Statement Blood/Urine Test Results (DL-367A).
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### • **5-05/010.00 - Traffic Collision Response Team**

The Traffic Collision Response Team is comprised of highly trained traffic investigators with the expertise to conduct in-depth and extensive collision investigations. The Traffic Services Detail shall be notified and respond to investigate any traffic collision, pursuit, Code 9 – surveillance mode, and/or Code 3 operation

which involves a Department vehicle or Department on-duty employee when the incident results in the death or death-imminent status of any person.

The Traffic Services Detail shall be notified and evaluate the need to respond and investigate any traffic collision which meets the following criteria:

- Involves a Department vehicle or Department on-duty employee when the collision results in complaint of pain, injury (to any person involved in the collision), substantial property damage or any collision which results from a pursuit, Code 9 – surveillance mode, and/or Code 3 operation;
- Involves a contract city vehicle or non-Department County vehicle when the collision results in serious injury or substantial property damage.

If a Traffic Services Detail supervisor determines that there is a need to respond, a Traffic Collision Response Team shall be dispatched to the scene.

For purposes of this policy, any collision which results from a pursuit, Code 9, surveillance mode, and/or Code 3 Operation includes, but is not limited to:

- Department vehicle involved;
- Suspect vehicle involved; and
- Third-party motorists involved as a direct result of the pursuit and/or Code 3 Operation.

#### Traffic Collision Response Team Responsibilities

Incidents occurring in a contract city and meeting the Traffic Services Detail response criteria shall have a Traffic Collision Response Team assigned to investigate the incident and perform the following:

- Assume functional supervision of the investigation and assist the handling station/unit personnel in completing the Traffic Collision Investigation Report (CHP-555);
- Complete a Collision/Incident Analysis Report for the Executive Risk Review Committee;
- Maintain a complete package of information for each case investigated by the Traffic Collision Response Team;
- Assume functional supervision of Department resources at the traffic collision scene;
- Assist with County Claims Administrator regarding “early or accelerated” claim settlements where it is determined that the Department driver was at fault;
- Assist with claim settlements regarding traffic collisions that involve Department members.

When a collision occurs that meets the Traffic Services Detail's response criteria in an unincorporated County area or in a city not policed by the Department, a Traffic Collision Response Team will respond to act as the Department's liaison with the agency having jurisdiction.

The Traffic Collision Response Team is also available to assist units, upon request, with the investigation of other serious injury traffic collisions. A watch commander or traffic supervisor may request the Traffic Collision Response Team whenever:

- Collision reconstruction expertise is needed to support felony-level criminal charges;
- Technical expertise is needed for traffic collisions involving commercial vehicles or hazardous materials;

- A high level of technical expertise is needed to assist supervisory personnel with their administrative review of any on- or off-duty employee-related traffic collision.

The Traffic Collision Response Team can be contacted by telephone through Traffic Services Detail during normal business hours. During non-business hours and on weekends, the Traffic Collision Response Team on-call Investigator can be contacted through the Sheriff's Headquarters Bureau.

For collisions or incidents involving Department motorcycles, the Traffic Collision Response Team shall notify the Department Motorcycle Sergeant assigned to the Motorcycle Training Unit. The Motorcycle Training Unit Sergeant shall evaluate the need to respond to assist in evaluation of the incident or collision. The Motorcycle Training Unit Sergeant shall prepare a memo to the concerned unit commander, evaluating the incident based on performance, training, and applicable Department motorcycle policy.

#### Unit Commander's and Watch Commander's Responsibilities

The unit commander or watch commander shall immediately notify Traffic Services Detail and the station/unit traffic supervisor whenever the following circumstances exist:

- A Department vehicle or on-duty mileage permittee vehicle is involved in a traffic collision which results in complaint of pain, injury, death (to any person involved in the collision), substantial property damage or any collision which results from a pursuit, Code 9, surveillance mode, and/or Code 3 Operation;
- A Department on-duty employee is involved as a pedestrian in a traffic collision which results in serious injury or death to any party;
- Any County Department on-duty employee is involved in a traffic collision in a contract city which results in serious injury or death to any party;
- A contract city vehicle is involved in a traffic collision which results in substantial property damage;
- A traffic collision occurs that results in a fatality or any person involved is in death-imminent status, regardless of Department, County, or contract city involvement.

This notification shall include, but not be limited to, the following:

- Location of collision;
- Date and time of the collision;
- The name and employee number of the deputy responsible for the initial report;
- The name and employee number for the supervisor at the scene;
- Number, nature, and severity of all injuries suffered;
- Number of parties involved;
- A brief synopsis of the events.

Traffic collision cases which are handled by Traffic Services Detail are subject to review by the Executive Risk Review Committee. For that reason, unit commanders and watch commanders shall not complete the "Conclusion" and "Findings and Recommendations" sections of the Supervisor's Report of Damage to County Vehicle or Permittee's Vehicle, SHR-257, until after the Executive Risk Review Committee has evaluated the case.

#### Immediate Supervisor/Field Sergeant's Responsibilities

When the Traffic Collision Response Team is called, the on-scene supervisor shall ensure that the scene is protected similar to a homicide scene (i.e., nothing is changed unless necessary for the preservation and protection of human life) and that involved vehicles are not moved within or from the collision scene prior to the arrival of the Traffic Collision Response Team. While the Traffic Collision Response Team is en route, the on-scene supervisor shall also ensure the following:

- Assigned units contain the traffic collision scene, which may involve setting up traffic cones and barricades;
- If exigent circumstances require the moving of the vehicles, the point of rest, area of impact, and all evidence shall be photographed, properly marked and secured. The assigned unit shall be directed to take measurements sufficient for a factual diagram;
- Nothing shall be removed from or moved within the involved vehicles, including Department-issued and personal items;
- The assigned unit shall remain at the scene until the Traffic Collision Response Team completes the initial investigation;
- When the involved parties are not able to remain at the scene until the Traffic Collision Response Team arrives, the assigned deputy will obtain the necessary statements from the involved parties, witnesses, and fire personnel.

#### Unit Responsibilities

When a traffic collision meets the Traffic Services Detail notification requirements, the reporting unit remains primarily responsible for handling the investigation and the incident. When a Traffic Collision Response Team arrives, it will assume the functional supervision of the incident and assist unit personnel as necessary in their investigation. Traffic Services Detail may, at their discretion and on a case-by-case basis, assume the responsibility for the investigation or parts thereof. The reporting unit shall assign, at minimum, one deputy who has successfully completed a Basic Traffic Collision Investigation Course which is approved by the Commission on Peace Officer Standards and Training (POST) to complete the initial traffic collision report (CHP 555). The unit shall also perform the following:

- Prepare and complete all required traffic collision report forms inclusive of the factual diagram and make the necessary notifications;
- Forward the completed traffic collision package (CHP 555, SH-R-257, SH-R-665 supervisor's comprehensive memorandum) to Traffic Services Detail within five days of the collision;
- Maintain the primary responsibility for enforcing Penal Code and Vehicle Code sections and effecting all arrests as deemed necessary.

#### Executive Risk Review Committee

Incidents investigated by the Traffic Collision Response Team are reviewed by the Executive Risk Review Committee (5-09/434.20).

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### • **5-05/010.50 - Motorcycle Traffic Enforcement**

As part of contract services, cities may contract for Motorcycle Traffic Enforcement. The following procedures provide consistency, reduce liability, and aid Unit Commanders in developing and maintaining Motorcycle

Traffic Units at their Stations/Units.

#### Motorcycle Program Required Training - Beginning Program

Personnel selected/assigned to the motorcycle program shall attend an 80-hour P.O.S.T. approved basic motorcycle course. Upon satisfactory completion of this course, candidates shall be assigned to a P.O.S.T. certified instructor for a street break-in period of 20 working days. Instructors shall submit written evaluations on each candidate at weekly intervals.

Evaluations will be utilized to determine if further training or termination from the program is warranted. Candidates must successfully complete both phases of training to be assigned to a motorcycle patrol position.

#### Motorcycle Program Required Training - Recurrent/Recertification Training

Quarterly, all motor Deputies shall be required to complete recurrent training exercises as determined by the Motorcycle Enforcement Sergeant assigned to the Training Bureau's Motorcycle Training Unit and the Motor Reserve Coordinator assigned to Special Enforcement Bureau.

Deputies failing to successfully complete a quarterly training course shall be placed with an instructor for an eight-hour period. The Deputy shall be given remedial training to meet standards. If the Deputy is still unable to pass the recertification course, an individual course of action shall be developed at the direction of the Unit Commander and coordinated with the Motorcycle Enforcement Sergeant.

#### Selection

To be considered for the program, a Deputy:

- Must be able to place both feet on the ground while sitting on a Departmental motorcycle (27801 (a) C.V.C) and, while straddling, back the motorcycle up a 6% incline;
- Must be able to right a fallen Department motorcycle weighing approximately 650-700 pounds;
- Must have successfully completed patrol training;
- Must have received a competent or better evaluation for the previous two years,
- Must possess a valid class A4" or "M" drivers license;
- Must be able to competently and safely perform all skills required by the position;
- Must have completed the Department's Basic Traffic Investigation and Radar Courses; and
- Must have been previously assigned to a Traffic Unit for a minimum of six months.

#### Motorcycle Enforcement Sergeant and Reserve Motorcycle Coordinator

The Training Bureau's Motorcycle Training Unit shall be responsible for training, supervision, records, emergency mobilizations and expertise with regard to motorcycle traffic enforcement. The Training Bureau's Motorcycle Training Unit will conduct annual inspections of motorcycle programs to be incorporated into Unit command inspections records. The Motorcycle Enforcement Sergeant shall liaison with the appropriate Bureaus and Stations/Units to accomplish these tasks. The Training Bureau's Motorcycle Training Unit shall maintain a Motorcycle Policy and Procedures Manual. Deputies beginning the street break-in phase of training shall be provided with a copy of this manual.

The Reserve Motorcycle Coordinator shall be responsible for the training, supervision, records, and emergency mobilizations of reserve personnel assigned to the Special Enforcement Bureau.

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### • **5-05/020.00 - Traffic Enforcement**

Deputy personnel shall take appropriate action to enforce traffic laws as outlined in the Policy and Ethics chapter.

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### • **5-05/020.05 - RADAR/LIDAR Enforcement**

The use of Radio-Detection and Ranging (RADAR) and Light Detection and Ranging (LIDAR) equipment for speed enforcement shall be limited to those personnel who have successfully completed this Department's POST-approved RADAR and LIDAR Operator Training course.

- RADAR and LIDAR equipment shall be properly maintained by the supervisor. RADAR units and tuning forks, as well as LIDAR units shall be sent annually to a manufacturer's authorized repair and service facility for service and calibration. A RADAR and LIDAR unit may remain in service longer than five years, if that unit is sent to an authorized facility for recertification at a minimum of once every three years. Each unit shall contact the Traffic Services Detail for the appropriate forms and the locations of current approved recertification centers. RADAR and LIDAR units which fail recertification may be returned to the manufacturer for either repair or replacement. (This partial exemption is in addition to the required annual calibration checks.);
- Deputies shall utilize RADAR AND LIDAR equipment only on streets with a posted speed limit which has been justified by a traffic and engineering survey conducted within seven years or ten years if a registered engineer evaluates the section of highway and determines that no significant changes have occurred prior to the alleged violation or on a street or alley exempted by Section 40802(b) CVC. RADAR and LIDAR may also be used to enforce the state maximum speed limit;
- Deputies shall check the calibration of the RADAR unit with appropriate tuning forks at the beginning and end of each shift. The internal calibration function shall be utilized periodically throughout the shift. If there is any doubt as to the reliability of the RADAR unit, it shall not be used for speed enforcement;

Deputies shall check the vertical and horizontal alignment of the HUD aiming reticle and perform two range checks of known distances of 200 feet or more in length along with an internal circuit check of any LIDAR device at the beginning of their shift. The internal circuit check shall be used periodically throughout the shift. If there is any doubt as to the reliability of the LIDAR unit, it shall not be used for speed enforcement.

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### • **5-05/020.10 - Commercial Vehicle Enforcement**

It is the policy of the Department to maintain a continuing, effective program of commercial vehicle enforcement to ensure compliance with applicable provisions of the California Vehicle Code and regulations contained in Title 13 of the California Code of Regulations. Deputies shall be guided by the standards contained in the California Highway Patrol's Manual on Registration Enforcement (HPM 82.5), Commercial Enforcement Manual (HPM 82.6), Vehicle Equipment Inspection Guide (HPM 83.2), Hazardous Materials Transportation Manual (HPM 84.2) and the Department's Commercial Vehicle Enforcement Guidebook when

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taking enforcement action against the operator/owner of a commercial vehicle.

Enforcement of technical commercial vehicle regulations and in-depth commercial vehicle inspections shall be limited to those personnel who have successfully completed the Department's Commercial Vehicle Enforcement course or that of the California Highway Patrol.

Enforcement of commercial vehicle hazardous material regulations shall be limited to those personnel who have successfully completed the Department's Hazardous Materials Transportation Enforcement Course or that of the California Highway Patrol.

Deputies who have not successfully completed the specialized courses may enforce non-technical violations.

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### • **5-05/020.15 - Selective Enforcement**

Selective enforcement is a directed enforcement program designed to reduce collisions, incidences of driving under the influence or identified Vehicle Code violations at a specific location. A selective enforcement program shall be comprised of the following:

- Statistical evaluation of traffic collisions, citation, or arrest data to identify problem areas;
  - Specific goals for each targeted location;
  - A designated period of time for the enforcement action;
  - Distribution of criteria in writing to field personnel;
  - Documentation of enforcement action taken by field personnel; and
  - Evaluation of the effectiveness of the enforcement actions.
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### • **5-05/020.20 - Traffic Conditions and Hazards**

Field Deputies shall be constantly alert for situations which create unsafe driving conditions and for deteriorating roads which would affect the safety of persons using the highway. The following circumstances shall be reported immediately and action taken as appropriate:

- Inoperative traffic control devices;
- Spills of oil or other substances; and
- Lack of barriers at excavations.

Any situation which impedes the orderly flow of traffic should be reported to the appropriate agency for correction.

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### • **5-05/030.00 - Citations**

Refer to the Judicial Process chapter for the following:

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Control Procedures (section 5-07/150.00)

Distribution, Filing and Destruction of Citations (section 5-07/150.05)

Lost/Stolen Citations (section 5-07/150.20)

Void/Dismissal Procedures (section 5-07/150.15)

Refer to the Juveniles chapter for the following:

Juveniles - Traffic Citation

Traffic Collision Citation - Juveniles

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## • 5-05/030.05 - Issuance of Citations

Deputy personnel shall conduct themselves in a manner outlined in the Policy and Ethics chapter when stopping, citing, warning or arresting a traffic violator.

Deputy personnel shall refer all violators to the instructions on the back of the violator's copy of the citation. Bail estimates and court disposition shall not be discussed with the violator.

### Format

The Judicial Council of the State of California establishes the format of the Notice to Appear (SH-CR-66) form and the Notice of Parking Violation (SH-CR-67) form. The Department must comply with the format and revisions of the format as established by the Council (Refer to the current Traffic Services Detail Indexed Briefing for procedures on the completion of citation format).

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## • 5-05/030.10 - Court of Jurisdiction

Deputies shall cite adult and juvenile violators to the appropriate court of jurisdiction according to guidelines established in the Vehicle Code, Division 17, Chapter 2, Release Upon Promise to Appear.

Citations directing the violator to the County Seat shall contain the wording "Violator cited to County Seat at violator's request" in the violation section (Refer to the current Traffic Services Detail Indexed Briefing on citation format for County Seat locations).

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## • 5-05/030.15 - Owner's Responsibility Citation

An owner's responsibility citation shall be issued according to the applicable provisions of the Vehicle Code. (Refer to the current Traffic Services Detail Indexed Briefing for procedures on completion of owner's responsibility citations.)

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Stations/Units shall mail the violator's (yellow) copy of the citation to the owner with a form letter (SH-CR-439) or as directed by the court of jurisdiction.

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### • **5-05/030.20 - Notice to Correct Citation**

Whenever a licensing, registration or mechanical violation of the Vehicle Code has been observed, except a violation of 5204 C.V.C. (license tabs), and none of the three below listed conditions exist, a Deputy may issue a notice to correct citation. A notice to correct citation is a notice to the violator that a violation of a licensing, registration or mechanical provision of the Vehicle Code exists for which they are responsible. When the violation has been corrected, the charge is dismissed without a fine. A notice to correct shall be issued on a Notice to Appear form (SH-CR-66 - citation).

If any of the following conditions exist, a notice to correct shall not be issued and the violator can only be issued a Notice to Appear:

- Evidence of fraud or persistent neglect;
- The violation presents an immediate safety hazard; and/or
- The violator does not agree to, or cannot promptly correct the violation.

Whenever a licensing, registration, or mechanical violation is recorded in the "Violation - Description" field, either the "Yes" or "No" box shall be checked. A check in the "Yes" box indicates that the violation is eligible for dismissal per 40610(b) C.V.C. A check in the "No" box indicates that the citation is not eligible for dismissal.

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### • **5-05/030.22 - Certification of Correction on Citations**

Section 26746.1 of the Government Code requires that a fee be assessed by the Sheriff for certification of correction on each citation that requires an inspection for proof of correction.

Any citizen who requests a certification of correction on a citation that requires an inspection for proof of correction shall be advised of the fee and should be referred to the nearest Sheriff's Station or court services Unit. The Station or court services Unit shall collect a fee for certification of correction on each citation.

#### **Fees shall not be collected in the field.**

Deputies or authorized representatives of the Department shall issue a Department of Sheriff Receipt to the citizen along with the certification of correction. Monies collected for certification of correction shall be deposited in the Miscellaneous Fees account and separately identified in section one of the Transmittal of Miscellaneous Fees form (SH-AD-359).

The "Certification of Correction" field on the reverse side of the yellow (violator's) copy of the citation shall be utilized whenever a Deputy or authorized representative certifies (signs off) that a licensing, registration or mechanical defect violation has been corrected. The completion of this field indicates that they have examined the corrected. documentation or mechanical defect and are satisfied that the violation has been corrected. In addition to signing the "Certification of Correction," Field Deputies shall affix a stamp identifying

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the Station (i.e., rubber stamp). The courts will no longer accept a signature alone to clear the citation and they require proof that the appropriate fees have been collected.

Deputies or authorized representatives shall certify a correction only when the citation is for violations for which they have personal knowledge sufficient to make a definitive determination of correction. They will not certify as having corrected violations for defective brakes, headlight adjustments or smog equipment. These citations should be referred to official state garages. Commercial Enforcement Deputies are qualified to certify brake repairs on commercial vehicles.

**NOTE:** Citations involving commercial vehicles can only be certified as corrected by personnel who have successfully completed our Department's or the CHP's Commercial Vehicle Enforcement Course.

A certification of correction shall include the following:

- Vehicle Code Section violated/corrected;
- Signature and printed name of the certifying Deputy or authorized representative;
- Deputy's employee number;
- "LASD" in agency box; and
- Date of certification,
- Station identification stamp.

The citizen shall then be directed to present the citation to the court designated on the face of the citation prior to the indicated court appearance date.

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### • 5-05/030.25 - Notice of Amended Citation

A Notice of Amended Citation (SH-CR-604) shall be prepared whenever any correction is necessary after a Notice to Appear or Notice of Parking Violation has been issued.

The original Notice of Amended Citation shall be mailed to the violator and a copy mailed to the appropriate court of jurisdiction. A copy of the Notice of Amended Citation shall also be attached to the Station/Unit copy of the citation and placed in the Station's/Unit's citation file.

Juvenile citations for delinquency court shall not be amended. They must be voided or dismissed and new Notices to Appear shall be reissued to the minor and their signed promise to appear obtained. Refer to section 5-02/050.50 and section 5-02/050.52 for additional information.

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### • 5-05/030.30 - Traffic Collision Citation - Adults

An on-duty Deputy may issue a Notice to Appear at the scene of a traffic collision when he witnesses the collision and can establish a violation(s).

A Deputy may prepare a Notice of Violation or seek a complaint when he has not witnessed a traffic collision but has reasonable cause to believe that any involved party has violated an infraction or misdemeanor

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provision of the Vehicle Code that was a factor in the occurrence of the collision. The investigating Deputy has reasonable cause to prepare a Notice of Violation or seek a complaint if his investigation discloses evidence, either physical or testimonial or a combination of both that would be sufficient to issue a Notice to Appear had he personally witnessed the collision.

A Notice of Violation shall be prepared only by a Deputy who has successfully completed a Basic Traffic Collision Investigation Course approved by the Commission on Peace Officer Standards and Training (POST) in accordance with provisions of Vehicle Code Section 40600.

A Notice of Violation shall be prepared on a Notice to Appear (SH-CR-66) form. The box "Offense(s) Not Committed in My Presence, Certified on Information and Belief" shall be checked. The violator shall not sign the Notice of Violation. The Notice of Violation shall be submitted with the traffic collision report to the Station's/Unit's traffic supervisor for review and distribution.

A Deputy shall not issue a Notice to Appear or prepare a Notice of Violation for an infraction or misdemeanor provision of the Vehicle Code at the scene of a traffic collision when the issuing Deputy, whether on-duty or off-duty, is involved as a party or passenger in a vehicle involved in the traffic collision.

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### • **5-05/030.35 - Notification of Complaint Filed**

The traffic supervisor may prepare a Notice of Violation or seek a complaint as the result of a traffic collision investigation. Whenever a Notice of Violation is issued or a complaint is sought, a Notification of Complaint Filed (SH-CR-383) form shall be completed and mailed to the violator. The Notification of Complaint Filed form shall include the charge(s) filed and the date, time, and location of the Court. The violator's copy of the citation, if issued, shall also be mailed to the violator.

A copy of the Notification of Complaint Filed, a copy of the collision report and, if issued, the original (white) copy of the citation shall be delivered to the appropriate court of jurisdiction.

The Notification of Complaint Filed shall be considered a supplemental report and distributed as follows:

- Records and Identification Bureau; and
- Station/Unit file.

The Notification of Complaint Filed may be omitted if it is the procedure of the court of jurisdiction to notify the defendant by mail.

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### • **5-05/030.40 - Warning of Parking Violation And/Or Abandoned Vehicle**

The Parking Warning form (SH-CR-101) shall be used in the following circumstances.

- A vehicle is parked in violation of any parking code and the officer elects to issue a warning in lieu of a Notice of Parking Violation;
- A vehicle is parked apparently abandoned in violation of local and/or state laws; or
- A new parking regulation is enacted or a parking code has not been regularly enforced, a Parking

Warning shall be issued for a minimum of five (5) days prior to issuing a Notice of Parking Violation.

The Parking Warning form is comprised of two sections. The top section shall be completed, detached from the lower section and securely attached to the vehicle. The lower section shall be completed whenever the warning is for an abandoned vehicle or for a circumstance which may cause the vehicle to be towed at a later time.

The completed lower section shall be submitted with the Deputy's daily log. The lower section of the form need not be completed or retained if the warning would not ordinarily result in the vehicle being towed.

When a Parking Warning has been issued which may result in the vehicle being towed at a later time, the vehicle shall be marked in the following manner:

- A mark on the tire and a corresponding mark on the ground shall be made to establish the vehicle's position at the time the warning was issued;
- The outside sidewall of a tire shall be marked with the date, time and issuing Unit's designation (i.e. 53T1); and
- Additional markings may be made to meet particular Station/Unit or unique situation requirements.

Stations/Units shall maintain a file for the lower section of the Parking Warning form. Completed lower sections of the Parking Warning form shall be placed in the file at the conclusion of each shift. The file shall be kept in chronological order. The file shall be located at the Watch Deputy's desk.

The file shall be reviewed daily by the Watch Deputy. Forms that have been in the file for 72 hours or longer shall be removed and assigned to an appropriate field Unit for follow-up action.

Personnel taking follow-up action shall comply with one of the following procedures:

- If the vehicle is no longer in violation, the lower section of the Parking Warning may be discarded and the appropriate entry made on the Deputy's Daily Worksheet;
- If the vehicle is stored or impounded, the lower section of the Parking Warning shall be attached to the CHP 180 report and made part of the permanent file; or
- If the assigned personnel are unable to conduct a follow-up investigation they shall note their name, the date and the reason no action was taken on the Parking Warning and return it to the Watch Deputy. The Watch Deputy shall reassign the follow-up investigation to an appropriate field Unit.

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## • 5-05/040.00 - Traffic Collision - Handling Procedures

[Title Only]

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## • 5-05/040.05 - Station/Unit Desk Responsibilities

Station/Unit desk personnel, upon receipt of a traffic collision notification, shall:

- Determine the extent of injuries and circumstances of the collision;

- Dispatch appropriate field Units;
  - Dispatch necessary emergency equipment (i.e., rescue Unit, ambulance, public utilities);
  - Notify the Watch Commander and traffic supervisor if the collision involves serious injury or a fatality;
  - Notify the Watch Commander and traffic supervisor if the collision involves a Department vehicle, on-duty mileage permittee, contract city vehicle, other County department vehicle or Department on-duty employee; and
  - Notify the responsible police agency if the collision occurred in a non-contract city or unincorporated area.
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## • 5-05/040.10 - At-Scene Responsibilities

A Deputy at the scene of a traffic collision shall:

- Aid injured persons as necessary;
- Safeguard persons and property;
- Establish necessary traffic control; and
- Take necessary action if violations of law are observed.

If the collision is in a contract city, the Deputy shall take a report as appropriate. If the collision is not in a contract city, the Deputy shall render assistance as necessary and notify the agency of jurisdiction via the Sheriff's Communication Center.

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## • 5-05/050.00 - Traffic Collision - Reporting Procedures

### On-Duty Emergency Vehicle

Refer to the Miscellaneous Administrative Procedures chapter for reporting requirements.

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## • 5-05/050.05 - Contract City - Highway/Off-Highway Traffic Collisions

All traffic (highway) collisions and non-traffic (off-highway) collisions which occur within a contract city shall be documented on either a Traffic Collision Report (CHP-555) form or a Traffic Collision Report - Property Damage Only (CHP-555-03) form as appropriate.

Deputies are responsible for the collision investigation involving a transit bus in the contract cities of Los Angeles County with the exception of collisions involving school buses carrying pupils. A transit bus may be contracted by a school district to transport students along existing routes. If the transit bus takes on other passengers along the route, it does not qualify as a school bus. The California Highway Patrol (CHP) has the responsibility for all school bus collisions, as defined by Section 545 of the Vehicle Code. CHP has the option of responding and handling the collision or deferring it to the Los Angeles County Sheriff's Department.

Transit bus collisions in a contract city require the handling deputy to take the appropriate collision report. The

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handling deputy shall ensure that the station traffic investigator/sergeant is notified immediately if injury occurs. The first deputy on the scene shall ensure that the involved vehicles, especially the commercial carrier, are not moved or in any way disturbed, unless prior approval has been obtained from the Station Traffic Investigator, CHP, or Traffic Services Detail. This is necessary to be able to establish any possible mechanical failure during a follow-up inspection. If the station's traffic staff is not available, the Traffic Services Detail shall be contacted. If the collision is not in a contract city, deputies shall render assistance as necessary and notify the agency of jurisdiction via the Sheriff's Communication Center.

If the investigation indicates that the transit bus requires inspection, the California Highway Patrol, Motor Carrier Safety Unit, shall be notified immediately. They can be contacted at (323) 644-9557, Monday thru Friday, 0800 -1700 hours, or reached after hours by the local CHP watch commander. The Motor Carrier Safety Unit also maintains records of carrier companies' violations and may request for the vehicle to be held for inspection based on previous violations.

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### • 5-05/050.10 - Traffic Collision Report (CHP-555)

A traffic or non-traffic collision which occurs within a contract city shall be documented on a Traffic Collision Report (CHP-555) when the collision involves:

- A fatality, injury, or complaint of pain;
- Hit-and-run with workable information;
- Public property; and
- Anticipated prosecution for any Vehicle Code or ordinance violation.

"Workable information" includes any statement or physical evidence that provides sufficient information for traffic investigators to possibly identify either the vehicle or party involved, such as:

- Partial or complete license plate numbers;
- Description of a vehicle with unique markings;
- Description of an involved party with distinct characteristics.

The report shall always include a sketch. The report narrative shall conform with the procedures outlined in the California Highway Patrol Collision Investigation Manual (CIM).

The report and report narrative shall NOT be written using any pre-prepared check-off format and shall include a factual diagram when the following applies:

- The collision results in a fatality;
- The collision results in serious injury which may become a fatality;
- The collision involves an on-duty Department employee, a mileage permittee, or a Department or contract city vehicle and results in a fatality, injury, or complaint of pain;
- The report and the factual diagram have the potential to assist in the prosecution of a crime exceeding the seriousness of an infraction.

Traffic collisions shall only be documented on a Traffic Collision Report – Property Damage Only (CHP-555-03) form when the following applies:



- The collision does not result in any injuries or complaints of pain;
- The collision only involves two vehicles;
- The collision is a hit-and-run misdemeanor with no workable information.

#### Beat

The investigating deputy's unit number and shift shall be entered in the space for "Beat."

#### NCIC Number

The Department's assigned NCIC number, 1900, shall be entered in the space for "NCIC."

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### • **5-05/050.15 - Traffic Collision Report - Property Damage Only (CHP-555-03)**

A traffic or non-traffic collision which occurs within a contract city shall be documented on a Traffic Collision Report - Property Damage Only (CHP-555-03) form when the collision involves:

- No injuries;
- No public property;
- No anticipated prosecution; one or two parties (The CHP 555-Page 1 and Page 2 may be used if there are more than two parties. Enter "Property Damage Only" in the top margin of Page 1).

Property Damage Only reports shall be completed in the field and copies distributed to the involved parties. When more than two parties are involved, the parties should be advised to obtain a copy of the report at the station/unit.

A Property Damage Only report shall be completed as outlined in the California Highway Patrol Collision Investigation Manual. The report shall also include the following:

- Area of Impact (AOI) measurements (optional on private property);
  - Sketch;
  - Statements, cause, and major items of evidence (such as paint transfer and skidmarks).
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### • **5-05/050.20 - Narrative/Supplemental Report (CHP-556)**

A Traffic Collision Report Narrative/Supplemental (CHP-556) form shall be used for the narrative portion of a collision report on a CHP-555 form when any of the conditions listed in the supplemental report section of the California Highway Patrol Collision Investigation Manual exist.

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### • **5-05/050.25 - Unincorporated Area**

The California Highway Patrol is responsible for the investigation and reporting of traffic collisions in the

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unincorporated areas of the County.

A Department Unit shall respond to a traffic collision in unincorporated areas when:

- CHP advises an extended response time and specifically requests this Department handle a collision;
  - A fatality is reported under circumstances which cause doubt that the death was attributable to the collision (Refer to the "Fatality-Unincorporated Area" section of the chapter);
  - Department personnel or vehicles are involved; or
  - Information exists alleging violations of the Penal Code or County ordinances in conjunction with the collision.
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### • 5-05/050.30 - Traffic Collision Report - Altering or Amending

Errors, omissions or discrepancies in a Traffic Collision Report shall be corrected by the investigating Deputy prior to final processing of the report. Minor changes to correct mistakes in spelling, dates, times or similar errors, may be made by the traffic supervisor when the investigating Deputy is not available.

A Traffic Collision Report Supplemental (CHP-556) form shall be used to make any change to a report which has already been forwarded to the California Highway Patrol Data Processing Section.

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### • 5-05/050.35 - Traffic Collision Report - File Number

All Traffic Collision Reports and Traffic Collision Reports - Property Damage Only shall be assigned a Uniform Reporting Number (URN). The URN shall be entered on all pages of the report.

A Vehicle Code violation which is associated with a traffic collision and which would normally require a report (e.g., driving under the influence), shall be contained in a separate report under the same URN.

A crime, other than a Vehicle Code violation, which is associated with a traffic collision and which would normally require a report (e.g., carrying a concealed weapon), shall be contained in a separate report under a separate URN. The Traffic Collision Report and the crime report shall be cross-referenced (Refer to the Case Assignment and Reporting Volume).

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### • 5-05/060.00 - Traffic Collision - Investigation Procedures

[Title Only]

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### • 5-05/060.05 - Equipment

The Station/Unit traffic supervisor shall maintain traffic collision investigative equipment and have them available for at-scene traffic collision investigations (Refer to Traffic Services Detail Indexed Briefing for list of

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equipment).

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### • **5-05/060.10 - Photographs**

Traffic collision scenes shall be photographed when the collision involves a fatality, serious injury which may become a fatality, or when a Department vehicle is involved.

A photograph of the face of a deceased party shall be taken for identification purposes.

Traffic collision scenes shall be photographed when photographs would aid in any criminal prosecution. Traffic collision scenes shall be photographed within the guidelines of the Traffic Services Detail Index Briefing concerning photography.

Digital Photographs shall be processed as follows:

- All photographs shall be sent to the Scientific Services Bureau Photographic Laboratory along with a Photo-Digital Services Request form. The photographs shall be copied to a digital media format as listed on the form and labeled, at minimum, with the full file number before transmittal;
- The Photographic Laboratory is responsible for forwarding the requested number of prints to the proper unit;
- Requests for additional prints should be forwarded to the Photographic Laboratory on an SH-R-198 form or SH-R-258 form, as appropriate.

Film shall be processed as follows:

- Exposed film and a Photographic Order (SH-R-198 or SH-R-258) form, as appropriate, should be sent to the Scientific Services Bureau Photographic Laboratory for processing;
- The Photographic Laboratory is responsible for forwarding the requested number of prints to the proper unit;

requests for additional prints should be forwarded to the Photographic Laboratory on the same Photo-Digital Services Request form, as appropriate.

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### • **5-05/060.15 - Fatality - Contract City**

A traffic collision which results in a fatality or in a serious injury which may become a fatality shall be handled, reported, and investigated only by a deputy who has successfully completed a Basic Traffic Collision Investigation Course which is approved by the Commission on Peace Officer Standards and Training (POST). In the absence of a qualified patrol deputy from the station/unit complement, the station/unit traffic investigator shall handle, report, and investigate the traffic collision. If the station/unit traffic investigator is not available to respond to the scene, the station/unit shall employ a qualified deputy from another Sheriff's station/unit or contact Traffic Services Detail for an investigator.

The deputy handling the investigation shall:

- Immediately notify the traffic supervisor, watch commander, Homicide Bureau, and Traffic Services Detail;
- Protect the scene, ensuring that skid marks, collision debris, and vehicle parts are not moved or disturbed;
- Ensure that all vehicles involved in the collision remain at their points of rest unless emergency conditions require their removal. If a vehicle must be moved, the position of all tires and the direction of the vehicles shall be marked;
- Mark the final point of rest of all victims when circumstances require their removal prior to the completion of the investigation;
- Determine if the Vehicular Manslaughter section of the Penal Code has been violated;
- Identify and apprehend suspects;
- Identify witnesses and obtain statements.

The following information shall be included in the Traffic Collision Report:

- Hospital to which the victim was taken;
- The doctor pronouncing the victim dead;
- Time of death;
- Person notified in Homicide Bureau;
- Name of deputy coroner (to be provided by Homicide Bureau);
- Coroner's case number;
- Next-of-kin notification information;
- Disposition of the body.

Homicide Bureau personnel shall:

- Notify the Coroner's Office of the fatality;
- Notify deputies at the collision scene as to the coroner's instructions regarding disposition of the victim;
- Follow up to ensure next-of-kin notification.

The station/unit traffic supervisor shall:

- Supervise and assist deputies in the investigation of the collision;
- Provide the collision investigation equipment at the scene as outlined in the "Equipment" Section of this chapter;
- Ensure next-of-kin notification;
- Maintain liaison with Homicide Bureau when next-of-kin notification has not been made;
- Maintain liaison with the Coroner's Office when the victim's identity is unknown;
- Prepare supplemental reports as necessary;
- Forward a copy of all documentation available concerning the collision to Traffic Services Detail five days after the incident and upon filing or submission for review with the appropriate Deputy District Attorney's Office;
- Immediately contact Traffic Services Detail when any persons injured in a collision pass away as a result of those injuries and provide all documentation available concerning the collision to Traffic Services

Detail within five days after the death and upon filing or submission for review with the appropriate Deputy District Attorney's Office.

The unit watch commander shall immediately notify the Traffic Collision Response Team in cases where a notification from the scene is not possible or practical.

This notification shall include, but not be limited to, the following:

- Location of the collision;
  - Date and time of the collision;
  - The name and employee number of the deputy responsible for the initial report;
  - The name and employee number of the supervisor at the scene;
  - Number, nature, and severity of all injuries suffered;
  - Number of parties involved;
  - A brief synopsis of the events
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### • **5-05/060.20 - Fatality - Unincorporated Area**

The investigation of a fatality collision which occurs in an unincorporated area of the County is the responsibility of the California Highway Patrol.

Deputies shall assume control of the scene if it is determined that the fatality was the result of foul play and requires a criminal investigation. The handling Deputy shall:

- Preserve the scene;
  - Notify Homicide Bureau; and
  - Assist as necessary.
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### • **5-05/060.25 - Traffic Collision Follow-Up**

The station/unit traffic supervisor shall be responsible for the follow-up of traffic collisions which are investigated by this Department.

The traffic supervisor shall analyze all traffic collision reports to determine if there is a basis for prosecution. Each report shall subsequently be noted "Active" or "Inactive" based on the evaluation. The traffic supervisor shall be responsible for filing complaints with the District Attorney.

Follow-up investigations shall include coordination with concerned Department units and other agencies if additional crimes or incidents are involved.

It shall be the policy of this Department that an image of a vehicle's safety restraint system(s) should be considered in the following circumstances:

- Fatal collisions;
- Serious-injury collisions;
- When deemed appropriate to assist in the investigation.

All investigators wishing to image a vehicle's safety restraint system(s) shall contact Traffic Services Detail.

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## • **5-05/070.00 - Traffic Collision Report - Record Keeping**

[Title Only]

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## • **5-05/070.05 - Traffic Collision Ledger**

Stations/Units with traffic responsibilities in contract cities shall maintain a separate traffic collision ledger for each contract city to record collision data. Records may be comprised of computer-generated printouts or a ledger book containing entered data.

Ledgers shall be retained at the Station/Unit for five years following the date of the last entry and then may be destroyed.

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## • **5-05/070.10 - Report Distribution - Highway Collisions**

Distribution of all traffic collision reports which resulted from highway collisions shall be made within five days of the incident. The original copy shall be sent to Records and Identification Bureau and a copy in all cases to:

- Station/Unit file;
- Station/Unit traffic investigator;
- CHP, Data Processing Section, SWITRS, Sacramento, California 95804 (except counter reports and private property reports);
- Press Board;
- County Road Department; and
- Contract city.

A fatality traffic collision report shall also be sent to:

- Traffic Services Detail;
- Homicide Bureau; and
- Coroner.

A Traffic Collision Report shall also be sent to:

- CHP or local police department if a courtesy report is taken;
- Court of jurisdiction if an arrest or citation resulted;

- CHP School Bus Detail if a school bus is involved; and
- CHP, Special Services Unit, 437 North Vermont Avenue, Los Angeles, CA 90004, when a collision involves a transit bus and the CHP Motor Carrier Safety Unit has been asked to perform an inspection of the bus or its terminal.

Refer to the Juveniles chapter regarding release of information on juveniles.

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### • **5-05/070.15 - Report Distribution - Off-Highway Collisions**

Distribution of non-traffic collision reports which resulted from off-highway collisions shall be made within five days of the incident. The original shall be sent to Records and Identification Bureau and a copy in all cases to:

- Station/Unit file; and
- Station/Unit traffic investigator.

A fatality non-traffic collision report shall also be sent to:

- Traffic Services Detail;
- Homicide Bureau (via JDIC);
- Coroner (via JDIC); and
- CHP, Data Processing Section, SWITRS, Sacramento, California 95804.

A non-traffic collision report shall also be sent to:

- Contract city if city property is involved; and
  - Court of jurisdiction if an arrest or citation resulted.
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### • **5-05/070.20 - Traffic Collision Report File**

The traffic collision report file shall consist of forms CHP-555, CHP-555-03, CHP-556 and corresponding supplemental reports. A report may be released as soon as processing is complete.

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### • **5-05/070.25 - Sale of Traffic Collision Reports**

The entire contents of the traffic collision report files shall be sold, upon request, to any person who has a proper interest in the report, except when the report's disclosure would do any of the following:

- Reveal confidential informants or information;
  - Interfere with the successful completion of the investigation or a related investigation;
  - Constitute unwarranted invasion of personal privacy;
  - Endanger the safety of a witness or other person involved in the investigation; and/or
  - Reveal investigative techniques or procedures.
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Persons who have a proper interest in the report include, but are not limited to, the following:

- Driver(s) involved;
- Legal guardian of driver involved;
- Parent of a minor driver;
- Authorized representative of a driver;
- Person injured in the collision;
- Owner of vehicle/property damaged in the collision;
- Persons who may incur civil liability; and
- Any attorney who represents any of the above persons.

Purchase of a traffic collision report does not entitle the purchaser to any cross-referenced reports.

A request for copies of a traffic collision report shall be made on a Request for Release of Traffic Collision Information (SH-R-179) form.

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## • **5-05/070.30 - Sale of Traffic Collision Photographs**

Traffic collision photographs shall be sold to any person who has a proper interest in the photographs according to the criteria established in the "Sale of Traffic Collision Reports" section of the manual.

Photographs of seriously injured or dead persons generally should not be released to any person due to the extremely personal and potentially offensive nature of the photographs. Photographs of seriously injured or dead persons may be released, with discretion, to the victim, an immediate family member of the victim or an authorized representative of either person. The photographs shall not be released to other than the aforementioned persons.

The cost of traffic collision photographs is listed in the County Code.

Purchase of traffic collision photographs does not entitle the purchaser to any cross-referenced reports.

The person requesting the photographs shall prepare an Application for Release of Traffic Collision Information (SH-R-179) and take or mail the form and the correct remittance to the Scientific Services Bureau Photographic Laboratory, 2020 W. Beverly Blvd., Los Angeles, CA 90057. The remittance shall be made out to the "Los Angeles County Sheriff's Department."

The Photographic Laboratory shall authorize the release of photographs only upon receipt of both the SH-R-179 form and proper fees. The Photographic Laboratory supervisor may complete the form when a request is received without the SH-R-179. The Photographic Laboratory supervisor shall check with the Station/Unit involved or the Records and Identification Bureau when there is any doubt as to the validity of a request.

The Photographic Laboratory shall prepare a print of each negative for which a fee is paid.

The Photographic Laboratory shall retain the Application for Release of Traffic Collision Information and negatives of photographs.

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- **5-05/080.00 - Department of Motor Vehicles (DMV) - Administrative Action**

DMV is responsible for the issuance and control of driver licenses.

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- **5-05/080.05 - Request for Re-Examination of Driver**

A Deputy should prepare a Request for Re-examination of Driver (DL 412) when a potentially hazardous driver is identified.

The Request for Re-examination of Driver form shall be submitted to the traffic supervisor for processing. The traffic supervisor shall forward the request to the DMV local branch, Driver Safety Office (Refer to the current Traffic Services Detail Indexed Briefing for procedures on completion of the form).

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- **5-05/080.10 - Notice of Priority Re-Examination of Driver**

A Deputy should prepare a Notice of Priority Re-examination of Driver (DL 427) when a potentially hazardous driver is identified and requires DMV's immediate attention.

The Notice of Priority Re-examination of Driver form shall be submitted to the traffic supervisor for processing. The traffic supervisor shall forward the request to the DMV local branch, Driver Safety Office, in the designated envelope by the end of the next business day, along with a copy of the citation or arrest report (Refer to the current Traffic Services Detail Indexed Briefing for procedures on completion of the form).

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- **5-05/080.15 - Verbal Notice by Peace Officer**

A Deputy should prepare a Verbal Notice by Peace Officer (DL 310) when an individual is encountered whose driving privilege has been suspended or revoked and the individual indicates he is unaware of the order, or when proof of service on the suspension or revocation order is lacking.

The Deputy shall verbally inform the individual of the suspension or revocation and confiscate the driver license pursuant to the authority set forth in the Vehicle Code. The Deputy shall complete the DL 310 form, obtain the individual's signature on the form and submit the form, along with the driver license, to the traffic supervisor for processing.

The traffic supervisor shall forward both the DL 310 form and the driver license to the Department of Motor Vehicles, Division of Driver Safety and Licensing, Sacramento (Refer to the current Traffic Services Detail Indexed Briefing for procedures on completion of the form).

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- **5-05/080.20 - Request for Driver License Information**

A Request for Driver License Information (DL 254) shall have the appropriate code number in the space titled

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"Requestor Code." The name of the Unit requesting the information shall be entered in the space for "Miscellaneous Information Submitted by Requestor."

Traffic supervisors may obtain their Station's/Unit's requestor code number by contacting the communications Watch Commander, Communications and Fleet Management. Requestor codes shall not be released to the general public.

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