

METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER

Date Issued: March 13, 2014 **Order No.:** SO 7-01
Effective Date: March 13, 2014 **Expiration:** Indefinite

Reference:

CALEA Standards: 41.2.3; 61.1.1; 61.1.2; 61.1.3; 61.1.4; 61.1.5; 61.1.6; 61.1.7; 61.1.8; 61.1.9;
61.1.10; 61.1.11; 61.1.12; 61.1.13; 61.2.2; 61.2.3; 61.3.1; 61.3.2; 61.3.3;
61.3.6; 61.4.1; 61.4.2; 61.4.3; 61.4.4; 82.3.4

Cancelled Publications: Section III of SO 7-01, issued December 10, 2013

Subject: TRAFFIC PROCEDURES

To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To provide guidelines for the enforcement of traffic laws.

POLICY: To provide for the safe and efficient movement of traffic within the City of Saint Louis. The prevention of traffic crashes of any type, but especially those involving death or serious injury, will be a high priority for the Department. An effective traffic enforcement program using warnings, citations, and in some cases physical arrests, can have a substantial impact on hazardous violations.

By Order of:



D. Samuel Dotson
Colonel
Chief of Police

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ATTACHMENT 2
ATTACHMENT 3

**METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER**

Date Issued: December 10, 2013 **Order No.:** Section I of SO 7-01

Effective Date: December 10, 2013 **Expiration:** Indefinite

Reference:

CALEA Standards: 61.1.1; 61.1.2; 61.1.3; 61.1.4; 61.1.5; 61.1.6; 61.1.7; 61.1.8; 61.1.9;
61.1.10; 61.1.12; 61.2.2; 61.2.4

Cancelled Publications: Section I of SO 7-01, issued September 5, 2012

Subject: TRAFFIC PROCEDURES

To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To familiarize Officers with traffic-related procedures.

A. SELECTIVE TRAFFIC ENFORCEMENT (61.1.1)

1. The Department’s selective traffic enforcement program will be based upon analyses of the data compiled from auto accidents, enforcement data, traffic volume, traffic conditions, and the deployment of personnel to enforce efforts aimed at detecting violations when illegal driving behaviors are prevalent.
2. In some cases, selective traffic enforcement may be based upon community concerns, in an effort to determine the existence of reported conditions or violations and to discover ways in which to deter any violations detected from recurring in the future.
3. The Traffic Safety Commander is responsible for the Department’s selective traffic enforcement functions. This will include overall responsibility for the analysis of traffic accidents and enforcement activities, the implementation of selective enforcement techniques, and the evaluation of traffic enforcement activities. The Traffic Safety Commander will submit an evaluation in January of each year through the chain of command to the Chief of Police regarding the Department’s selective traffic enforcement activities for the preceding calendar year. **(61.1.1.f)**
4. Supervisors will be responsible for the deployment of their personnel for the purpose of engaging in selective traffic enforcement activities. These activities will be undertaken as part of each Patrol Officer’s regular duty assignment, supplemented by Traffic Safety Officers.

B. UNIFORM ENFORCEMENT PROCEDURES (61.1.2) (61.1.5)

1. The role of the Officer is to observe and deter traffic violations. When violations occur, the Officer will take the appropriate enforcement action. Department policies will not be written or enforced in a manner to supplant an Officer’s discretion, based on his/her training, experience and professional judgment. All Officers will take proper enforcement action for each traffic violation observed or reported to them. All enforcement actions will be accomplished in a firm, fair, impartial and courteous manner. These enforcement actions include:

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- a. Physical Arrest - Enforcement action where taking the offender into custody is warranted in order to best serve the safety of the community. **(61.1.2.a)**
 - b. Traffic/Ordinance Citations - Will be used for traffic offenses where the Officer believes that a verbal warning would not be effective to gain the violator's future compliance. **(61.1.2.b)**
 - c. Verbal Warnings - May be used for minor traffic offenses when the Officer is convinced that it is appropriate and compliance in the future is likely. **(61.1.2.c)**
2. The Department does not encourage, condone, or allow the practice of writing an excessive number of multiple citations for the purpose of generating statistics or enhancing activity records. The fair, accurate and justified application of enforcement measures will be expected and required from all Officers. Enforcement measures will be for the purpose of promoting the safe and efficient movement of traffic, and not for the purpose of generating revenue for the City.

C. SPECIAL ENFORCEMENT ISSUES **(61.1.3)**

1. Non-Residents **(61.1.3.a)**
 - a. Since the State of Missouri is a member of the Nonresident Violator Compact, nonresidents from compact states may accept a citation for traffic violations in which personal recognizance is acceptable and immediately continue toward their destination after promising to comply with the terms of the citation. Provisions of the compact do not apply to parking or standing violations, highway weight limit violations, violations of law governing the transportation of hazardous materials, and situations where custodial arrest is required.
 - b. An out-of-state driver's license will NOT be seized in-lieu of bail for a traffic violation.
 - c. Full time students with a valid license from his/her home state, are not required to obtain a Missouri operator's or vehicle license. If the student has a Missouri operator's license, then he/she must also obtain Missouri vehicle license plates for his/her personally owned vehicle.
 - d. Unless exempt (e.g., full-time students, members of the military on active duty), a new resident of Missouri must apply for a Missouri State vehicle license and operator's license within 30 days of establishing residence. **(RSMo 301.100)**
2. Juveniles

Juveniles under 15 years of age will be handled in accordance with procedures found in Section XI "Juvenile Traffic Procedures – Including DWI and Traffic Bench Warrants" of SO 5-16 "Juvenile Procedures."
3. Members of the United States Congress **(61.1.3.c)**

By authority of Article I, Section 6, of the United States Constitution, members of the United States Congress may not be arrested, or be required to post bond, while in transit to or from the Congress of the United States during the session of their respective houses except in cases of treason, felony, or breach of the peace (e.g., assault or driving while intoxicated).

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However, members of the United States Congress may be warned or issued a citation for a traffic violation.

4. Members of the Missouri State Legislature (61.1.3.c)

By authority of Article III, Section 19, of the Missouri State Constitution, Missouri State senators and representatives may not be arrested, or be required to post bond, during the session of the general assembly, and for the 15 days next before the commencement and after the termination of each session except in cases of treason, felony, or breach of the peace (e.g., assault or driving while intoxicated). However, Missouri State senators and representatives may be warned or issued a citation for a traffic violation.

5. Diplomats and Consular Officials (61.1.3.d)

The Federal law governing immunity is 22 USC 254, otherwise known as the Diplomatic Relations Act of 1978. This Act was written to bring the United States into compliance with the provisions of the Vienna Convention of 1961. Immunity in itself does not represent a pardon, total exoneration, or total release from the responsibility to obey the law. Immunity is a barrier that precludes U.S. courts from exercising jurisdiction over the case involving diplomatic personnel.

- a. Diplomatic agent is a term assigned to ambassadors and other diplomatic officer who generally have the function of interacting with host country officials. Diplomatic agents, members of their immediate family, and members of their administrative and technical staff are immune from arrest, detention, and criminal prosecution. Traffic citations may be issued to diplomatic agents, though they are not required to sign the citation. Diplomatic agents may be taken into protective custody when driving while intoxicated, but they will be released from protective custody to a responsible party, or provided transportation home, as soon as possible.
 - 1) Diplomatic agents and administrative/technical personnel are immune from the obligation to provide evidence as a witness. However, service staff personnel are not immune from this obligation.
 - 2) Unless the diplomatic agent is considered a serious danger to him/herself or others, he/she should not be physically restrained. Sobriety tests may be offered, but will not be compelled.
- b. Consular officials differ from diplomats in that they perform functions of principal interest to their home countries (e.g., promoting commerce, attending to the needs of nationals). A consular official may be arrested or detained for a felony violation, pursuant to a warrant. Traffic citations also may be issued to consular officials. Generally, members of a consular's immediate family and consular employees enjoy no immunity.
 - 1) Consular officials may provide evidence as a witness, though they may not be compelled. Other consular employees are not immune from the obligation to provide evidence as a witness.
- c. The burden is upon the diplomatic agent or consular to claim privilege by presenting valid credentials. Diplomat and consular status must be verified through the United States Department of State at:

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Bureau of Diplomatic Security Command Center (24 hours a day)
(866) 217-2089 – Toll Free

- d. Any incident involving diplomatic agents or consular officers should be fully documented to include the name of the individual(s). All relevant information will be forwarded by the reviewing Commander to his/her Bureau Commander and to the Command Post. The reviewing Commander also will forward a copy of the incident to the United States Department of State through the contact information above. The Department of State will be responsible for the continuance or suspension of the driving privileges of the individual.
6. Members of the Military (61.1.3.e)
- a. With the exception of the circumstances described below, military personnel on active duty will be subject to all State and local traffic laws.
 - b. Any military personnel on active duty, members of the reserves and National Guard on active duty, including personnel on full-time National Guard duty, personnel on part-time training and National Guard military technicians, while driving military vehicles for military purposes are exempt from the Missouri operator licensing requirements. (RSMo 302.775)
 - c. Members of the military stationed in Missouri on active duty, with a valid license from his/her home state, are exempt from the requirements to obtain a Missouri operator's or vehicle license. If the military member has a Missouri operator's license, then he/she must also obtain Missouri vehicle license plates for his/her personally owned vehicle.
 - d. Members of organized militia from civil process. No person belonging to, or on duty with, the organized militia of the state, or engaged in the performance of militia duty on call of the governor, will be arrested on any civil process while going to, remaining at, or returning from any place at which he may be required to attend for militia duty. (RSMo 41.680)
 - e. Every commissioned officer, warrant officer and enlisted person acting under the order of the governor, or of any officer, civil or military, authorized by law to call out the organized militia or any part thereof, as provided in this military code, will have the same rights and immunities as other conservators of the peace under the provisions of the law of the state. (RSMo 41.690)
 - f. Whenever any portion of the organized militia is called into active service to execute the laws, engage in disaster relief, suppress actual or prevent threatened insurrection or repel invasion, the commanding officer will use his own discretion with respect to the propriety of attacking or firing upon any mob or unlawful assembly. His honest and reasonable judgment in the exercise of his duty will be full protection, civilly and criminally, for any act or acts done while on duty; and no member of the organized militia in the service of the state will be liable civilly or criminally for any act or acts done by him in the performance of his duty. (RSMo 41.700)
 - g. The commanding officer of any portion of the organized militia or his representative performing any militia duty in any street or highway may require persons in such street or highway to yield the right-of-way to such militia, except that the carriage of the United States Mail, the legitimate functions of the police and fire apparatus, will

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not be interfered with thereby. Any person who hinders delays or obstructs any portion of such militia performing any militia duty, or who attempts to do so, is guilty of a misdemeanor. **(RSMo 41.740)**

7. Postal Employees

When it is necessary for an Officer to book an on-duty employee of the United States Postal Service, he/she will notify the Post Officer Vehicle Operation Division, regardless of whether the employee is driving a government vehicle or his/her personal vehicle on government business. If there is mail in the vehicle, an Officer will remain with the vehicle until a postal representative arrives to take charge of the mail. Additionally, the Vehicle Operation Division will be notified anytime a citation is issued to an on-duty postal employee whether arrested or not. Notification can be made at (314) 436-4419 (24 hours a day).

8. Metro Bus and Metro Link Driver

When necessary for an Officer to book an on-duty Metro Bus or Metro Link driver, an Officer will remain with the unit until a Metro Supervisor or his/her representative, can respond to the scene and take charge of the unit. Metro may be contacted at (314) 982-1400 extension 6868. **(61.1.5.g)**

D. VIOLATOR'S COURT APPEARANCE (61.1.4)

1. At the time the violator is stopped and cited for a violation, an Officer will provide the violator with the following information on the Missouri Uniform Citation:
 - a. The specific charges outlined in any citation(s) issued; **(61.1.4.d)**
 - b. The means in which the citation(s) can be satisfied without a court appearance, if a court appearance is not mandatory; and **(61.1.4.b)**
 - c. The need to appear in court on those citations issued requiring a mandatory appearance by the violator, along with the date, time and location of the court hearing. **(61.1.4.a)**
2. Those violations allowing for payment by mail without the need for a court appearance should be adequately explained to the violator and indicated on the Missouri Uniform Citation. **(61.1.4.c)**
3. If a violator refuses to sign the Missouri Uniform Citation on a city ordinance or misdemeanor violation, the Officer will write "Refused to Sign" in place of the violator's signature. If the violator refuses to accept his/her copy of the Missouri Uniform Citation, they will be booked for the offense and required to post bail. The Arrest Register number will be recorded on the Missouri Uniform Citation and warrant application made. **(61.1.4.d)**

E. UNIFORM ENFORCEMENT POLICIES (TO INCLUDE OFF-ROAD VEHICLE VIOLATIONS)

1. Uniform enforcement of all violations is expected by all Officers of this Department. In all enforcement actions, the Officer has the discretion to use any or all of the applicable enforcement options outlined in this Special Order. See the "Schedule of Traffic Violations" (MPD Form GEN-39) and applicable State Laws and City Ordinances for specific guidance for each State and City traffic violation.

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2. Specific procedures for Driving While Intoxicated (DWI), or Operating a Motor Vehicle under the Influence of Intoxicating Liquor (OOMVUII) is outlined in Section III of this Special Order. **(61.1.5.a)**
3. Enforcement of Knowingly Driving While License Suspended or Revoked violations will be aggressive. It is the discretion of the supervisor whether to issue a citation and release or to book on these offenses. **(61.1.5.b)**
4. Speeding in excess of 20 miles per hour over the posted speed limit requires a mandatory court appearance. **(61.1.5.c)**
5. If a subject is cited for four or more hazardous violations, as noted in the "Schedule of Traffic Violations" (MPD Form GEN-39) they may be booked at the discretion of the Watch Commander. A report and Information application is required. **(61.1.5.d)**
6. Off-road Vehicle Violations **(61.1.5.e)**

- a. Definition

An "All-terrain vehicle" (ATV) is described as any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of 1000 pounds or less, traveling on three, four or more low pressure tires, with a seat designed to be straddled by the operator or with a seat designed to carry more than one person, and handlebars for steering control. **(RSMo. 301.010)**

- b. Registration of All-Terrain Vehicles

- 1) State law requires that no person may operate an ATV within Missouri unless the vehicle has been registered with DOR, unless such vehicle is:
 - a) Owned and operated by a Federal, State or local government agency; or
 - b) Covered by a valid registration of another State or country and has not been within this State for more than 30 days.

No person under 16 is allowed to register an ATV. **(RSMo 301.707)**

- 2) At the time of registration, a decal will be issued by DOR showing the registration number and expiration date. The decal must be affixed to the right front fork or frame of the ATV where it is clearly visible. The registration is valid for three years. The decal is not transferable to another person. **(RSMo. 301.711) (RSMo 301.714)**

- c. No person may operate an ATV upon a highway, street, alley, stream or river. Exceptions include governmental vehicles, vehicles operated for industrial on-premises purposes from sunrise to sunset, vehicles occasionally operated by handicapped persons for short distances on secondary roads from sunrise to sunset, and persons with special permits. **(RSMo 304.013)**
- d. No person under the age of 16 is permitted to operate an ATV unless he/she is accompanied by or and under the direct supervision of a parent or guardian or an adult

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authorized by the parent or guardian. This provision does not apply on private property owned by the parent or guardian. **(RSMo 301.705)**

- e. A person with an exception to operate an ATV on a highway, street or alley must have a valid operator's or chauffeur's license, but need not be motorcycle qualified (license requirement does not apply to handicapped persons operating within the restrictions under the Statute at a speed under 30 miles per hour). When operated on a highway, street or alley, an ATV must have a bicycle safety flag attached to the rear of the vehicle. No person may operate an ATV in a careless way so as to endanger the property of another, while under the influence of alcohol or any controlled drug, or without a securely fastened safety helmet on his/her head if the operator is under 18 years of age. No ATV operator may carry a passenger unless its seat is designed for it. ATV operators must follow the rules of the road. **(RSMo 304.013-304.014)**
- f. Off-Road Vehicle enforcement will be based on officer discretion which may include, but not be limited to:
 - 1) Verbal warnings.
 - 2) Citations are issued for illegal use on public roadways. The driver/owner will be responsible for removal of the vehicle from the roadway.
 - 3) Complaints should be used for violation of criminal trespass or damage to property, or use on prohibited property. Officers will cause the removal of the vehicle in these cases, unless the violator has the means to transport the vehicle legally from the location.
- 7. Equipment and other non-hazardous violations will be aggressively sought out by this Department. Booking is the Officer's and Supervisor's discretion for four or more equipment and non-hazardous violations. **(61.1.5.f) (61.1.5.h)**
- 8. Commercial Vehicles and Public Carriers **(61.1.5.g)**
 - a. Commercial vehicles (18,000 lbs. gross weight and larger), transit buses, local buses, and trailers will be registered on a yearly basis running from January 1 through December 31. Only one license plate is issued, and the single plate will be displayed on the front of the vehicle.

EXCEPTION 1: Plates for trailers will be displayed on the rear. The current year of issue is embossed on the plate. Generally, the renewal date for commercial plates 18,000 lbs. or greater is extended to February 28th of the next year. Commercial vehicle plates below 18,000 lbs. gross weight are multi-year plates and a sticker attached to the plate indicates the year of expiration.

EXCEPTION 2: Semi-trailers with a fifth wheel may have one or three-year plates, with the year of expiration indicated on the plate. (If a three-year plate, only one inspection is required at the beginning of the three-year period.) Commercial vehicles licensed 18,000 lbs. gross weight or greater are issued a new plate yearly.
 - b. Commercial vehicle plates issued for trucks 12,000 lbs. gross weight and smaller, and private school buses will be issued in sets of two on a yearly basis, as are passenger plates. They expire the month and year indicated on the plate.

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9. When multiple violations occur, the Officer will take the appropriate enforcement action. Department policies will not be written or enforced in a manner to supplant an Officer's discretion, based on his/her training, experience and professional judgment. It is the Officer's discretion whether to issue multiple written citations or release on a verbal warning. **(61.1.5.i)**
10. As newly enacted laws are received from the State of Missouri and the City of Saint Louis, they are added to the enforcement system, and training is provided when necessary. After the Missouri Legislative Session ends in mid-May, newly enacted State laws are not effective until August 28 of that calendar year, unless an emergency clause is attached. An emergency clause makes the newly enacted State law effective on the date that is indicated. Once a newly enacted law is passed, up to the period of time the law becomes effective, Officers should take this period of time (grace period), as an opportunity to educate the public concerning the newly enacted law, as well as the date the law is effective (enforcement date). For a newly enacted law, the Officer always has the discretion whether to write a citation or to release on a verbal warning. **(61.1.5.j)**
11. Accident citations are at the discretion of the investigating Officer and should only be issued if probable cause exists. **(61.1.5.k) (61.2.2)**
12. Bicycle and Pedestrian Traffic Enforcement **(61.1.5.l)**
 - a. Pedestrian enforcement will be based on officer discretion with a focus on violations in areas where pedestrian accidents have been frequent and severe.
 - b. Bicycle enforcement will be based on officer discretion with a focus on violations in areas where bicycle accidents have been frequent and severe. Bicycle riders are required to adhere to all traffic laws.

F. TRAFFIC PATROL **(61.1.6)**

1. Marked patrol units will generally be used for traffic law enforcement. **(61.1.6.a)**
2. Traffic patrol techniques include line, area, stationary, saturation, and directed patrol. Supervisors should determine and assign the type of traffic patrol that may be needed for a particular problem. **(61.16.a)**
 - a. Line Patrol - Patrol between two specific points on a given street.
 - b. Area Patrol - Moving patrol within a defined area.
 - c. Stationary Patrol - Visible or Concealed.
 - d. Directed Patrol - Assigned Patrol to a specific area based on analysis of accurate and timely information regarding traffic violations, crashes, and other related incidents.
 - e. Saturation Patrol - Directed patrol assigned to multiple units.
3. In situations or areas where stationary observation (either visible or concealed) is necessary to maximize the effectiveness of a selective enforcement effort, Officers will park in a location and in such a manner, that traffic flow is not impeded. **(61.1.6.b)**
4. Unmarked units and/or unconventional units may be used in some instances when necessary

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to accomplish a specific purpose. When any unmarked unit is utilized, Officers must realize that the motorist may not recognize them as a Police Officer. Officers wearing plain clothes conducting a vehicle stop must have their Department-issued badge and identification card clearly displayed on their persons while approaching the violator. **(61.1.6.c)**

G. STOPPING AND APPROACHING TRAFFIC LAW VIOLATORS **(61.1.7)**

Officers and Supervisors will use their discretion and common sense in making traffic stops to ensure safety for Department personnel, violators, passengers, and pedestrians.

1. Stopping Violators

a. Communications

The Officer will advise Communications, by radio, of all traffic stops and provide the license plate number, make, model, color of vehicle, number of occupants, and location of the stop. If the vehicle has no license plates, the Officer will provide the make, model, color and description of the vehicle, as well as the description and number of occupants, if known and location. The dispatcher will then assign an assist Officer if the Officer is not a two-officer unit.

b. Lights and Siren

Lights and siren will be activated before any traffic stop is made.

c. Vehicle Positioning

- 1) The traffic stop is controlled by the actions of the Officer and will be done in an area that will afford security for the Officer, as well as provide for the continued safe and expeditious movement of other motorists.
- 2) If the violator stops in an unsafe location, the Officer will direct him/her to a safer location.
- 3) The Officer's vehicle will be positioned at least 10-15 feet to the rear of the violator's vehicle, and angled or offset 2-4 feet to the left of the violator's vehicle, when it is safe to do so. The front wheels of the police vehicle will be turned out to prevent it from being pushed into the stopped vehicle if suddenly rammed by a passing motorist.
- 4) An assist car will always be assigned to traffic stops made on Interstate Highways for safety.
- 5) When approaching the vehicle, the following procedures apply:
 - a) The Officer's approach will be cautious, watching for sudden or suspicious movement.
 - b) If two Officers are approaching, one will be on either side of the violator's vehicle.
 - c) The primary Officer will take position behind the driver's door, with his/her duty weapon away from the driver.

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- d) The Officer will survey the interior of the violator's vehicle upon approach. On vehicles equipped with a trunk, the Officer will push the trunk lid, making sure it is locked as they pass the rear of the vehicle.

2. High-Risk Traffic Stops

- a. High-risk traffic stops include, but are not limited to felony crimes against persons, crimes involving the use of weapons, and stolen vehicles. The Officer and Supervisor will use his/her discretion and common sense in implementing a traffic stop.
- b. It is **STRONGLY** discouraged to conduct a high-risk stop alone if in a one-officer unit. Without an assisting Officer, you are at a distinct disadvantage. Officers will notify the Communications Center of the intent to perform a high-risk traffic stop. Make radio contact with backup units and communicate the following: location and direction of travel, description of suspect vehicle, including vehicle registration, description of suspects, and high-risk factors.
- c. When the backup unit is in position to provide cover, communicate to the backup unit and the Communications Center the intended location for the high-risk stop. A location will be chosen carefully. Every effort will be made to choose a location that provides ample space and sufficient lighting needed to conduct a high-risk stop.
- d. As the suspect vehicle stops, exercise care in positioning your police vehicle for maximum advantage and safety. The primary unit will be positioned two car lengths to the rear and one-half car width to the left of the subject vehicle. The primary unit's front wheels will be turned out. Backup units will be positioned behind and to the left of the primary unit (recommended) or to the immediate right of the primary unit as circumstances allow. The backup units will turn their front wheels out or in to prevent their vehicle from being pushed into the stopped vehicle or primary police car.
- e. Spotlight and high beam headlights will be used to illuminate the suspect vehicle and protect the Officers. Backup units positioned behind the primary unit will turn off headlights and spotlight to avoid silhouetting of primary unit Officers.
- f. The Officers will position their bodies where they have adequate cover in case the vehicle occupants possess weapons. Once primary and backup Officers are in position, suspects will be controlled using verbal commands. Easily understood voice commands are very important and only one Officer at a time will give verbal commands.
- g. Give verbal commands to the vehicle occupants. The Officer will announce they are with the Saint Louis Metropolitan Police Department. The Officer will order all vehicle occupants to put their hands in a position where the Officer can see that occupants have nothing in their hands and where the risk of the occupants grabbing any nearby weapon is minimized.
- h. Give verbal commands to the vehicle driver. The Officer will order the driver to shut off the vehicle ignition, open the driver's door and place the vehicle keys on the ground or on the roof of the vehicle. The Officer will order the driver to put both hands out the door in plain view, and to open the driver's side door from the outside with his left hand. The Officer will order the driver to exit the vehicle and face you with his hands and arms up. Visually inspect the suspect for any weapons on his/her

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person. Give commands to the driver to step away from the vehicle and step to the location to the rear and to the right of the suspect vehicle. Give commands to open any other door that would allow better visibility into the vehicle (i.e. rear doors). Choose a location based on vehicle positioning and other environmental factors so that backup Officers have a clear view of the suspect. Order the driver to assume a prone position.

- i. Continue clearing the vehicle of occupants in this manner, one at a time, ordering them out from the front seat first and then from the rear seat. All passengers will exit from the passenger side of the suspect's vehicle. Order the suspects to assume a prone position, either in a diagonal row or side by side, depending on how they can best be observed by backup Officers.
- j. When all visible occupants have been removed, the primary Officer will exercise great care in inspecting and clearing the suspect vehicle. Backup Officers will provide cover and continue to observe suspects. Remain aware of the potential for crossfire between Officers if a shooting situation occurs.
- k. When the suspect vehicle is clear, the primary Officer will advise other Officers. If the suspects are to be taken into custody, Officers will exercise great care in securing the suspects with handcuffs and conducting a thorough search. Backup Officers will provide cover and additional handcuffs, if needed.

H. OFFICER AND VIOLATOR CONTACT (61.1.8)

1. The Officer should greet the violator in a courteous and professional manner, explain the reason for the stop and request the violator's driver's license and any other required documents applicable to the stop. Officers will use appropriate greetings, address the violator politely and not be argumentative. In any contact with a violator, regardless of its outcome, the motorist must be left with the impression that the Officer has performed a necessary task in a professional and courteous manner.
2. When the Officer returns to the violator, a complete explanation will be given of what action is being taken. If a citation is issued and/or a court appearance is necessary, the specific details will be given. Any payment by mail options will also be clearly explained, as well as bond options and non-resident information.
3. Cash bond will only be accepted at the City Justice Center.
4. At all times, the Officer will conduct himself/herself in a calm, courteous, and professional demeanor.
5. Upon completion of the traffic stop, the Officer should assist the violator to safely re-enter the traffic flow.
6. Communications will be notified of the disposition of the traffic stop.
7. Officers will complete a "Traffic Analysis" computer entry on every traffic stop.

I. DRIVER NOT COMPETENT TO OPERATE A MOTOR VEHICLE (61.1.12)

1. When an Officer has reason to believe that a person who is properly licensed is not capable of driving a motor vehicle in a safe manner due to a physical or mental impairment, the Officer will request the Driver License Bureau to require that person to be re-examined.

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2. In order to initiate the re-examination, the Officer will complete the “Driver Condition Report” (DOR Form 4319) and forward it to the Driver License Bureau. The form is available under the “Forms” link on the Department Intranet.
3. In completing the form, the Officer must:
 - a. Report only their firsthand knowledge of the driver;
 - b. Complete the entire form and sign where indicated; and
 - c. Provide a complete, detailed description of the impairment.

EXAMPLE 1: Example of inadequate description of impairment: “Motorist had a hearing impairment.”

EXAMPLE 2: Example of adequate description of impairment: “I observed a motorist not yielding to an emergency vehicle’s siren. After an investigation, I determined the person was not able to hear the siren.”

NOTE: If the description supplied by the Officer is not sufficient, the Driver’s License Bureau will return the form, requesting additional information.

DSD/klh/jb
251-13-00124

METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER

Date Issued: August 29, 2011 **Order No.:** Section II of SO 7-01

Effective Date: August 29, 2011 **Expiration:** Indefinite

Reference:

CALEA Standards: 61.1.13

Cancelled Publications: Section II of SO 7-01 issued November 11, 2011

Subject: PARKING ENFORCEMENT

To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To provide procedures for the uniform enforcement of parking violations.

A. PARKING VIOLATION NOTICE (61.1.13)

1. The Parking Violation Notice (Parking Ticket) is issued for violations of city parking ordinances. The Missouri Uniform Citation (Traffic Summons) is issued if the illegally parked vehicle is involved in an auto accident.
2. Violators will not be booked for charges written on the Parking Violation Notice.
3. The original copy of the Parking Violation Notice will be placed in a Traffic Transmittal Envelope for State Court Traffic Summonses – Parking-Pedestrian Violation Notices (MPD Form GEN-315), with the appropriate box for “Parking-Pedestrian Violation Notices” checked on the envelope, and sent to the Telephone Reporting Unit (TRU). The transmittal envelope will be placed in a basket marked “Traffic Tickets” on the supervisor’s desk. The second copy of the Notice will be issued to the violator.

NOTE: It is important that completed tickets be promptly submitted to the TRU, as the system for payment depends upon it.

4. Parking Meter Attendants and Park Police are authorized to issue Parking Violation Notices for all violations in their designated work area.

B. COMMERCIAL VEHICLES (Revised City Code 17.30.020) (61.1.13)

1. Commercial vehicles are prohibited from parking in residential zones A, B, C, D, and E unless loading, unloading, or servicing.
2. Commercial vehicles include all trucks except those listed below:
 - a. Recreational Vehicles (those licensed with an R.V. plate): These vehicles may park in residential zones provided they are properly registered and do not exceed 24 feet in length.
 - b. A pickup truck registered as a recreational vehicle must have a shell or camper attached and permanent sleeping and eating facilities. Removal of either the camper or

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the eating/sleeping facilities from a truck with RV plates constitutes an improperly registered vehicle.

- c. If the vehicle is over 24 feet in length, it is restricted to parking for periods of 30 minutes or less between the hours of 7 a.m. and 2 a.m. and prohibited from parking between 2 a.m. and 7 a.m.
- d. Non-commercial Pickup Trucks: Pickup trucks are permitted to park in residential areas provided they meet all of the following criteria:
 - 1) The pickup has low sides and tailgate, and no stakes are inserted in sides;
 - 2) The pickup is used to transport property solely for personal use;
 - 3) No advertisement or writing is displayed on the truck, except that routinely placed by the dealer or manufacturer;
 - 4) The pickup is not modified so that the bumper is raised over 26 inches from the street; and
 - 5) The truck is clear of trash, debris, and other material, except for factory-installed equipment, or the bed of the truck is covered by a factory designed cover in good repair. **(Revised City Code 17.30.025)**

C. DISABLED PARKING

1. Insignia Required to Park in a Disabled Parking Zone

a. Type of Insignia

Vehicles must display one of the following unexpired insignia to legally park in a disabled parking zone:

- 1) State “Disabled” or “Disabled Veteran” License Plate.
- 2) “Disabled” placard, permanent or temporary, as issued by the Department of Revenue.
 - a) Permanent “Disabled” Placard is:
 - (1) Three inches wide by nine inches long,
 - (2) Blue in color,
 - (3) Displayed by hanging from rear view mirror when parked,
 - (4) Will only be used when the physically disabled occupant for whom the “Disabled” placard was issued is in the motor vehicle at the time of parking or when a physically disabled person is being delivered or collected. **(RSMo 301.142)**

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- b) Temporary “Disabled” Placard is:
 - (1) Three inches wide by nine inches long,
 - (2) Red in color,
 - (3) Validity may not exceed 180 days,
 - (4) Displayed by hanging from rear view mirror when parked,
 - (5) Will only be used when the physically disabled occupant for whom the Temporary “Disabled” placard was issued is in the motor vehicle at the time of parking or when a physically disabled person is being delivered or collected. **(RSMo 301.142)**

b. Requirements for Use of “Disabled” Placards

- 1) Only a single copy of the “Disabled” placard (new or old) is required by Missouri law.
- 2) The “Disabled” placard (old or new) should be hung from the rear view mirror/visor or displayed on the dashboard of the driver’s side of the vehicle. However, Officers will avoid issuing a Parking Violation Notice so long as a “Disabled” card is displayed anywhere in plain view.
- 3) Vehicles with “Disabled” plates and placards issued by other States will be allowed to park in disabled parking zones.
- 4) “Disabled” placards may not be hung from the rear view mirror during operation of the motor vehicle. **(RSMo 304.601)**

2. Residential Disabled Parking Space Permit

- a. Persons with a disabled on-street parking space in front of their residence can have that space reserved for their use only. The Office of the Disabled, located in City Hall can issue two permits/stickers to one vehicle per household previously approved for a “Residential Disabled Parking Space Permit.”
- b. These permits/stickers will be permanently affixed to the front and rear windshield of the driver’s side, on one vehicle only. The number on the permits on the vehicle will correspond to the same number on the disabled parking sign.
- c. Officers will be able to check the color and number of the permits/stickers to ascertain if the vehicle is legally parked. The Missouri placard or license plate for the disabled must also be displayed when using this space.
- d. In cases where the person with a disabled space does not own a vehicle, a windshield card is issued with a number corresponding to a permit affixed to the disabled parking signs.
- e. All permits will be renewed annually.

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3. Fines for Parking Contrary to Disabled Parking Signs
 - a. A fine is established for parking contrary to official, above ground, disabled parking signs (containing the international symbol for persons with disabilities) in all locations open to the general public, whether on public or private property (to include special permit signs in front of private residences, fee and non-fee parking lots, etc.).
 - b. Parking notices will not be issued by this Department when:
 - 1) The parking restriction is merely painted over a parking space without an official sign; or
 - 2) The parking space is in an area not open to the general public (e.g. company-owned lots reserved for employees only.)
 - c. Certain signs provide that parking is restricted to vehicles with a “Disabled Veteran” License Plate. Only vehicles with the “Disabled Veteran” license plate may park in those spaces.
 - d. Vehicles without the proper disabled insignia will be issued a Parking Violation Notice for parking contrary to the official disabled sign.
 - e. Vehicles with “Disabled” plates and placards issued by other States will be allowed to park in disabled parking zones.
4. Unauthorized Use of a Disabled Parking Space
 - a. The City Revised Code provides that disabled parking spaces identified with the official sign may only be used when an occupant with a disability is in the motor vehicle at the time of parking or when a person with a disability is being delivered or collected by a properly marked vehicle which is parked for the sole use of the person with a disability.

NOTE: It is important to realize that some persons have disabilities that are not readily apparent, such as certain lung and heart conditions. Therefore, Officers should conduct a thorough investigation to determine if a violation exists. The control number on official disabled cards can be traced through the Missouri Department of Revenue to verify name of applicant, doctor who signed application, etc.
 - b. If the driver, or an occupant, of a motor vehicle which is parked or has been observed to have parked in a designated disabled parking space is unable to, or cannot, produce the certificate as provided for in section 301.142, RSMo, or other proper authorization showing that the vehicle is being used, or has been lawfully parking in a disabled parking space, the operator is guilty of a class A misdemeanor. However, no person will be found guilty of violating this section if the operator produces such a certificate to the court that was valid at the time of the citation for a person who was using the vehicle. **(RSMo 304.601)**
 - c. The windshield hanging placard will only be used when the vehicle is parked in a disabled parking space. It will be unlawful for any person to operate or drive a motor vehicle with a windshield hanging placard hanging from the inside rearview mirror. **(RSMo 304.601)**

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- d. The driver, or any occupant, of a motor vehicle bearing “Disabled” license plates or a windshield hanging placard which is parked or has been observed to have been parking in a duly designated disabled parking space will, upon request from any law enforcement officer or other duly constituted peace officer upon identification as such, produce the disabled registration certificate issued to the disabled person or entity as provided for in section 301.142, RSMo, or such other authorization to show that the driver, or any occupant of the vehicle is lawfully entitled to use a designated disabled parking space. The driver or any occupant of the motor vehicle will, in addition to the certificate, produce other identification with a photograph of the disabled person for whom the “Disabled” plates or windshield hanging placard was issued. **(RSMo 304.601)**
- e. An Officer investigating a violation of the above section would issue a Missouri Uniform Citation for the charge “Unauthorized Use of Handicapped Parking Space.” A Supplemental Information – Traffic Violations/State Infractions form (MPD Form GEN-182) will be prepared to bring details of the incident to the Court’s attention, if necessary. However, no person will be found guilty of violating this if the operator produces such a certificate to the court that was valid at the time of the citation for a person who was using the vehicle. **(RSMo 304.601)**

5. Parking Meter Exemption Permit For Persons With Disabilities

- a. A person may apply for a permit if his/her permanent disability restricts his/her ability to operate a parking meter (this includes manipulating coins, turning a lever, or putting coins in a meter). A person must have a valid driver’s license and also own a vehicle.
- b. The permit is issued by the Office on the Disabled, City Hall and is renewable annually.
- c. Two stickers will be issued by the Office on the Disabled and must be displayed unobstructed – one on the passenger side of the windshield and one on the passenger side of the rear window. These stickers only exempt the person from paying the meter fee. All other meter restrictions still apply.

EXAMPLE: 2-hour limit or No parking 4:00 P.M. to 6:00 P.M.

6. Street Parking Restrictions (61.1.13)

- a. Parking restrictions serve to ensure fair access to parking, particularly parking restricted to physically disadvantaged drivers, or to facilitate the safe and expeditious flow of traffic.
- b. Parking restriction will be enforced reasonably and impartially.

**METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER**

Date Issued: March 13, 2014 **Order No.:** Section III of SO 7-01

Effective Date: March 13, 2014 **Expiration:** Indefinite

Reference:

CALEA Standards: 61.1.5; 61.1.10; 61.1.11; 61.2.2

Cancelled Publications: Section III of SO 7-01, issued December 10, 2013

Subject: DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS

To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To provide guidelines and procedures for the arrest, testing, and information applications regarding persons suspected of operating a motor vehicle under the influence of alcohol, drugs, and/or a controlled substance, or any combination.

A. GENERAL ENFORCEMENT (61.1.10) (61.1.5.a)

1. When any Officer of the Department observes or otherwise receives information of a suspected alcohol impaired driver, the Officer will take appropriate actions in the investigation of the situation. Officers will make every effort to promote public awareness in the area of impaired driving.
2. All Patrol Division Watch Commanders will ensure that Officers are made aware of specific times and locations where there are concentrations of accidents involving drivers operating vehicles under the influence of alcohol or controlled substances.
3. Officers may be assigned to special details or task forces for enhanced enforcement programs, as directed by Supervisors.
4. A motor vehicle operator may be considered legally intoxicated in the State of Missouri with a Blood Alcohol Content (BAC) of:
 - a. 0.08% - All drivers 21 years of age and older operating a non-commercial vehicle;
 - b. 0.04% - All drivers 21 years of age and older operating a commercial vehicle;
 - c. 0.02% - All drivers under 21 years of age. (See Paragraph B-3 of this document “Zero Tolerance Under 21 Law.”)

B. GENERAL ARREST PROCEDURES (61.1.11)

1. Adult Offenders
 - a. When an Officer suspects that the driver of a motor vehicle may be under the influence of alcohol, drugs, or a controlled substance, the Officer will place the driver under arrest and advise the driver of his/her constitutional rights, as outlined on page three of “Alcohol Influence Report” (DOR Form 2389).

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- b. The arresting Officer will advise the driver that, under the provisions of Missouri's Implied Consent Law, he/she is requesting that the driver take a chemical test. If the driver agrees to take the test, he/she will be informed by the Officer that positive test evidence of driving under the influence will be used against him/her in Court. The Officer also will inform the driver that if he/she refuses to take a chemical test, evidence of that fact could be used against him/her in Court or in an administrative proceeding.
- c. The Department is required to give an arrested driver only one chemical test to determine blood alcohol content. If the arrested subject is physically incapable of taking a breath test, a blood or urine test may be administered. In addition to any chemical test administered by the Department, the arrested driver may request that a qualified person of his/her choosing administer an independent test.
- d. If the driver does not require medical attention, he/she does not have to be taken to the hospital. The subject will be conveyed directly to the nearest testing location for administration of the chemical test, or if available, the B.A.T. Mobile will be requested to administer the test.
- e. Before leaving the scene of the arrest location, the Officer will perform a wanted check on the vehicle and a DOR check to determine ownership of the vehicle. If possible, the "Towing Option Form" (MPD Form GEN-145) should be completed before leaving the scene of the arrest. (See SO 7-02 "Towing Procedures" if the driver elects to have his/her vehicle towed from the scene of the arrest.)
- f. When an Officer does not witness a driver operate a motor vehicle, an arrest will be made only after his/her investigation has established probable cause that a violation has occurred. A citizen complaint will not be sufficient to establish probable cause without an independent investigation by the Primary Investigative Officer.
- g. A driver who verbally admits to operating a motor vehicle while under the influence will be arrested and charged.
- h. If a motor vehicle accident has occurred, Officers investigating the accident will take appropriate actions. See SO 9-02 "Missouri Uniform Crash Report." **(61.2.2.c)**

2. Juvenile Offenders **(61.1.11)**

Juveniles under 15 years of age will be handled in accordance with procedures found in Section XI "Juvenile Traffic Procedures – Including DWI and Traffic Bench Warrants" of SO 5-16 "Juvenile Procedures."

3. Zero Tolerance Under 21 Law

The Zero Tolerance Under 21 Law makes it illegal for subjects under 21 years of age to operate a motor vehicle with any measurable alcohol in their blood (0.02% BAC or more).

- a. Officers who stop a driver under 21 years of age with probable cause to believe a traffic violation has occurred, and the Officer has reasonable grounds to believe that the subject was operating a motor vehicle with a BAC $\geq 0.02\%$ but $< 0.08\%$, the Officer will request that the driver submit to a chemical breath test to determine the alcohol content of his/her blood.

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NOTE: This request only will be made when the Officer suspects that the driver is under the influence of alcohol at a BAC $\geq 0.02\%$ but $< 0.08\%$ and the driver is not being charged with Driving While Intoxicated (DWI) (State charge) or Driving Under the Influence – Operating Motor Vehicle Under the Influence Of Intoxicating Liquor/Drugs (DUI-OMVUILL/D) (City charge).

- b. If the driver refuses to take the breath test, the Officer will take no further action.
- c. If the driver takes the breath test and results are between 0.02% and 0.08% by weight, the driver will not be charged with DWI (State charge) or DUI – Operating Motor Vehicle Under the Influence of Intoxicating Liquor/Drugs (DUI-OMVUILL/D) (City charge), unless the Watch Commander approves the arrest and booking.
- d. The Officer will not issue a Missouri Uniform Citation for the alcohol offense.
- e. The Officer will take possession of the driver's Missouri driver's license. Out-of-state drivers' licenses will not be seized.
- f. Documents required by the Department of Revenue:
 - 1) "Notice of Suspension/Revocation of Your Driving Privilege" (DOR Form 2385);
 - 2) Valid Missouri Driver's license, when applicable;
 - 3) One copy of the **Intox EC/IR II** breath test instrument printout;
 - 4) One copy of Missouri Uniform Citation(s) for the traffic violation(s) which caused the driver to be stopped;
 - 5) One copy of the "Alcohol Influence Report" (DOR Form 2389) with live signature of arresting Officer; and
 - 6) One copy of the **Intox EC/IR II** breath test instrument Maintenance Report.
- g. No warrant packet will be produced unless application is necessary due to the driver being booked on a violation requiring booking.

C. MEDICAL ATTENTION FOR THE ARRESTED SUBJECT (61.1.11) (61.2.2) (61.2.3)

- 1. The Officer will arrange for conveyance of the arrested driver to a local hospital emergency room if any of the following conditions exist:
 - a. Driver is involved in an accident; **(61.2.2.c)**
 - b. Driver complains of illness or injury; **(61.2.2.a) (61.2.3.b)**
 - c. An injury is apparent; **(61.2.2.a) (61.2.3.b)**
 - d. Driver is additionally charged with resisting arrest;
 - e. Driver is suspected of being under the influence of drugs or a controlled substance; or **(61.2.2.c)**
 - f. The breath test indicates a 0.35% or higher blood alcohol level. **(61.2.2.c)**
- 2. Officers are reminded that drivers may be suffering from an illness with symptoms that mimic intoxication (e.g., a diabetic in need of insulin or a person suffering from Alzheimer's disease). If there is any doubt about a driver's condition, his/she should be taken to the hospital for examination.

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D. INFORMATION APPLICATION

The arresting Officer may book the driver at the City Justice Center or the District of arrest.

1. Application Procedures

- a. In all Driving While Intoxicated (DWI) (State charge) and Driving Under the Influence – Operating Motor Vehicle Under the Influence of Intoxicating Liquor/Drugs (DUI-OMVUIIL/D) (City Charge) cases, information application will be made at the Circuit Attorney's Office within 24 hours.

NOTE 1: In DWI/DUI-OMVUIIL/D cases that involve traffic accidents with injuries, information application will be made immediately.

NOTE 2: If the DWI/DUI-OMVUIIL/D case is more serious (e.g., chronic offender) the Officer may apply immediately on charges, at the discretion of his/her commander.

- b. When applying at the Circuit Attorney's Office, the arresting Officer will bring a packet including the below information:
 - 1) Driver's Department of Revenue record;
 - 2) Complete criminal history; and
 - 3) Copy of any breath test refusal DVD (the original breath test refusal DVD will be packaged as evidence).
- c. A Missouri Uniform Citation will be prepared in all DWI/DUI-OMVUIIL/D cases.

2. Circuit Attorney's Office Procedures

The Circuit Attorney's Office will review cases and either issue the charges, refuse the charges, or refer the case to the City Counselor's Office. In all cases, a warrant supplemental will be forwarded to the Warrant & Fugitive/Prisoner Processing Division regarding the disposition of cases.

- a. DWI/DUI-OMVUIIL/D cases may be referred by the Circuit Attorney's Office to the City Counselor's Office for prosecution, unless:
 - 1) The driver has pled guilty to, or been arrested for, one intoxication-related traffic offense within the previous 5 years;
 - 2) The driver has pled guilty to, or been arrested for, 2 or more intoxication-related traffic offense at any previous time;
 - 3) The driver is involved in an accident that causes injury to another person; and/or
 - 4) The driver is charged with other state-level crimes arising out of the same incident.
- b. For cases referred to the City Counselor's Office for prosecution, the Circuit Attorney's Office will use the TUA/Refusal Code 61.

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- c. The Circuit Attorney's Office will not refer cases to the City Counselor's Office that:
 - 1) Involve constitutional issues;
 - 2) Involve issues relating to the sufficiency of the evidence or other proof problems; or
 - 3) Lack Laboratory results.
- d. Every two weeks, the Circuit Attorney's Office will send an electronic list of referred cases to the City Counselor's Office for review.

3. Procedures for Referred Cases

- a. If a case is referred to the City Counselor's Office, the Officer may, while on-duty, serve a summons on the driver (if still in custody) or apply At-Large at the City Counselor's Office.
- b. The City Counselor's Office will be responsible for notifying the driver that the case has been transferred from the Circuit Attorney's Office to the City Counselor's Office for prosecution.

NOTE: The City Counselor's Office will not take any DWI/DUI-OMVUIIL/D cases that have not been reviewed by the Circuit Attorney's Office.

E. SEIZURE OF DRIVER'S LICENSE ACCORDING TO TYPE OF LICENSE

1. License Suspended, Revoked, or Subject Driving Without License

Officers will prepare the "Notice of Suspension/Revocation of Your Driving Privileges," (DOR Form 2385) or "Refusal to Submit to Alcohol/Drug Chemical Test Notice of Revocation," (DOR Form 4323) when a driver is arrested while driving with a license that is suspended or revoked, or is driving with no driver's license. The form will indicate that the temporary 15-day driving permit is not valid, and a Missouri Uniform Citation will be prepared reflecting the appropriate license charge. **(61.1.5.b)**

2. Out-of-State Driver Arrested (61.1.3.a)

- a. When an arrested driver displays an out-of-state driver's license, and the Department of Revenue administrative revocation procedures apply (e.g., 0.08% BAC and charged with DWI – Driving with Excessive Blood Alcohol Content or DUI – Operating Motor Vehicle Under the Influence of Intoxicating Liquor/Drugs (DUI-OMVUIIL/D)), the "Notice of Suspension/Revocation of Your Driving Privileges," (DOR Form 2385) will be prepared. If the driver refuses to submit to a chemical test, the "Refusal to Submit to Alcohol/Drug Chemical Test Notice of Revocation," (DOR Form 4323) will be prepared.

NOTE: The Officer will make note that the driver is not licensed to drive in Missouri.

- b. The out-of-state driver's license will not be taken.

3. Driving on Missouri Uniform Citation or Lost Driver's license

- a. If the driver does not have a valid license in his/her possession, or is driving on a Missouri Uniform Citation, the appropriate "Revocation of Your Driving Privilege"

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form (DOR Forms 2385 or 4323) will be issued to him/her. The Officer will check the appropriate box on the "Revocation of Your Driving Privilege" form indicating the license was not surrendered. All other related forms will be forwarded to the Department of Revenue without the driver's license.

- b. The Missouri Uniform Citation will not be seized.
- c. The Officer will check the driver's driving record for the most current information.

NOTE: The driver may be cited for other violations if applicable (e.g., Failure to Carry or Display Driver's or Chauffeur's License or Instructional Permit).

4. Driving on Temporary 15-Day Permit from Prior Drug- or Alcohol-Related Traffic Offense

- a. If a driver is arrested for a drug- or alcohol- related traffic offense and is driving on a valid Temporary 15-Day Permit issued by another Officer or by the Department of Revenue from a prior DWI or DUI-OMVUIIL/D, the Officer will seize the temporary permit and forward it to the Department of Revenue.
- b. A new Temporary 15-Day Permit will be prepared and issued to the driver. A Temporary 15-Day Permit will not be seized for any other charge (e.g., in lieu of bail for speeding, etc.)
- c. A Temporary 15-Day Permit is valid even if not signed by the driver. If a driver refuses to sign a permit, it will be noted in the narrative of the report.
- d. If a driver is operating on a valid Department of Revenue hearing extension permit, awaiting his/her administrative revocation hearing, it will be seized and a new temporary 15-Day permit issued.
- e. If a driver is operating on a valid hardship license, issued by a judge, it will not be seized.

NOTE: Administrative revocation does not apply when an arrest is made on private property unless there is prior knowledge of the subject operating a motor vehicle on a public roadway. Either an Officer or witness must testify to having observed the subject operate a vehicle on a public roadway.

F. ALCOHOL/DRUG CHEMICAL TEST – CONSENT GIVEN

The arrested driver cannot dictate which test will be offered. If the arrested driver refuses to submit to any test offered by the Officer, it will count as a test refusal.

1. Breath Test

If the driver consents to take a breath test, the arresting Officer will arrange for a test to be administered by a qualified operator. The arresting Officer will act as a witness to the test unless an assist Officer is helping in the investigation.

2. Blood/Urine Test

- a. If an arrested driver has been charged with a traffic violation, the arresting Officer may have a blood or urine test administered at the emergency rooms of Barnes-Jewish

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Hospital, St. Louis University Hospital, or St. Alexius Hospital to determine blood alcohol or drug content. A urine test also may be administered at Department sites.

- b. The arresting Officer must sign a statement that the driver is under arrest for a traffic driving violation and that the offense leading to the arrest involved operating a motor vehicle while under the influence of alcohol or a controlled substance. The driver retains the right to refuse to take a test at any time prior to actual administration of the test.
- c. All facts concerning administration of the blood/urine test will be incorporated into the I/LEADS report by the reporting Officer.

3. Independent Test

- a. In addition to any test administered at the direction of the Department, the driver may have a physician, a qualified technician, chemist, registered nurse, or other qualified person of his/her choosing, and at his/her own expense, administer a test. The arrested driver must submit to a Department test prior to any independent test being administered. The independent test must be administered at the arrested driver's place of confinement.
- b. The Department operator administering the test must inform the subject of his/her right to an independent test. The arrested driver will be allowed to contact a qualified person of his/her choosing or the arresting Officer, at his/her discretion, may attempt to notify the identified person.
- c. Arrangements for conducting the additional test will be determined by the Watch Commander, who will verify the qualifications of the person performing the additional test.
- d. If an independent test is administered, the name of the operator, his/her title, and the date and time the test was administered will be incorporated into the arrest report. The results of the independent test will not have any bearing on the Officer's decision whether or not to book the driver.

4. Driver is Unable to Take Breath Test

- a. If the driver is in such a condition that he cannot complete the breath test, but states that he/she is willing to submit to a blood test, the driver will be conveyed to Barnes-Jewish Hospital, St. Louis University Hospital, or St. Alexius Hospital emergency room where a blood sample will be taken in lieu of the breath test.
- b. For purposes of a criminal prosecution, a valid search warrant is needed to have blood drawn from any person who is unconscious or who is otherwise in a condition rendering him/her incapable of refusing to take a test – including drawing blood from a deceased individual.
 - 1) An Application and Affidavit for a Search Warrant (available on the Intranet under *Forms* → *Circuit Attorney Forms*) will be completed by the Primary Investigating/Arresting Officer.
 - a) Missouri Statute allows for the typed name of the “Affiant”, preceded by “/s/”, to serve as a signature on documents to be transmitted electronically.

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- b) The information required in the body of the Search Warrant also will be completed by the Primary Investigating/Arresting Officer,
 - c) The original documents with the Officer's original signature will be submitted to the Circuit Attorney Warrant Office when making application.
- 2) To obtain a search warrant for a blood sample after hours, contact the Circuit Attorney's office by calling the following numbers in order:
- a) The Homicide Duty Number, (314) 807-6173.
 - b) If not available: The Sex Crimes Duty Number (314) 589-6363.
 - c) If not available: The Domestic Violence Duty Number (314) 589-6364.

NOTE: Do NOT contact the Circuit Attorney's Office after hours except for reasons specified in Special Orders.

- 3) Attach and email the completed Application for Search Warrant, Search Warrant, and Affidavit of Probable Cause to the email address provided by the Attorney on-call.
- a) Once the on-call Attorney has received and reviewed all documents, he/she will provide the Officer with additional instructions for completing the Search Warrant application process.
- 4) Within 2 business days of obtaining a blood sample pursuant to a properly issued search warrant, the Primary Investigating/Arresting Officer will deliver to the Circuit Attorney's Office an original copy of the Search Warrant, the Application for Search Warrant, the Affidavit of Probable Cause and the Search Warrant Return describing what was seized from the driver.
- a) The Search Warrant Return for when a driver's blood has been seized typically will read "One tube of the suspect's blood."
- 5) Within 10 calendar days of obtaining a blood sample pursuant to a properly issued search warrant, the Primary Investigating/Arresting Officer will file with the St. Louis Circuit Clerk's Office a copy of the Search Warrant, the Application for Search Warrant, the Affidavit of Probable Cause and the Search Warrant Return describing what was seized from the driver.

NOTE: Missouri law requires the Officer to provide the Search Warrant Return to the local prosecutor's office within 2 business day of executing the warrant. However, the Officer has 10 calendar days to file the Search Warrant Return with the Clerk's Office. As a practical matter, the Officer should provide the documents to both the Circuit Attorney's Office and the Circuit Clerk's Office at the same time.

G. ALCOHOL/DRUG CHEMICAL TEST – CONSENT REFUSED

1. Driver Refuses to Submit to a Test

- a. If a driver refuses to submit to a test, he/she will be advised that an affidavit will be prepared and sent to the Missouri Department of Revenue, revoking a driver's license for 1 (one) year.

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- b. When a driver refuses to submit to a test, the Officer will describe in the narrative of the report the suspect's behavior, actions, and any other information that may be used as evidence in court proceedings. Refer to page two of the "Alcohol Influence Report" (AIR) (DOR Form 2389) and complete section entitled "Chemical Test Refusal." The Refusal Box must be marked.
- c. The arresting Officer will place a copy of the "Alcohol Influence Report" (AIR) (DOR Form 2389) in the Headquarters-Warrant Fugitive (CID) envelope (MPD Form GEN-227). After review by the Supervisor, the packet will be forwarded to the Warrant and Fugitive Division, who will then forward it to the Department of Revenue.

2. When A Blood Sample May Be Compelled

- a. When a driver is arrested for operating a motor vehicle under the influence of alcohol or a controlled substance, and refuses to submit to a chemical test, a compelled blood sample may be drawn at the emergency rooms of Barnes-Jewish Hospital, St. Louis University Hospital, or St. Alexius Hospital after a Search Warrant has been obtained.
- b. In all cases where a driver is arrested for operating a motor vehicle under the influence of alcohol or a controlled substance and refuses to submit to a blood, breath, or urine test, the Officer will immediately initiate the process of acquiring a Search Warrant for obtaining a blood sample from the driver using the procedures in Paragraph F-4-b above.
- c. The supervisor will make sure that enough Officers are present to ensure the safety of the arrested driver and all involved police and hospital personnel.
- d. The arresting Officer will prepare the "Request for Blood or Urine Sample" (MPD Form GEN-272) and present it and the Search Warrant to the hospital staff.
- e. A trained physician, a registered nurse, or a trained technician will draw the blood sample. No test will be administered if it would endanger the life or health of the driver in custody.
- f. If qualified hospital personnel refuse to forcefully take a blood sample from the arrested driver:
 - 1) The Officer will contact the hospital administrator to try to have the sample drawn; and
 - 2) If the hospital personnel still refuse to draw blood, the Officer will remove the arrested driver to the Area Station, if discharged. The reporting Officer will incorporate into the I/LEADS report the refusal of hospital personnel to forcefully draw a blood sample from the arrested driver.
- g. All facts concerning the request to forcefully draw a blood sample will be incorporated into the I/LEADS report by the reporting Officer, including the names of all witnesses and attending hospital personnel.

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- h. In cases where the arrested driver is confined at a hospital other than Barnes-Jewish Hospital, St. Louis University Hospital, or St. Alexius Hospital, these same procedures will apply for obtaining a Search Warrant and taking the blood sample.
- i. The sample will be taken to the Laboratory Division for analysis as soon as possible and the results will be presented to the Circuit Attorney.

H. ADMINISTERING CHEMICAL TESTS

1. Administering the Chemical Breath Test

- a. The Department uses the **Intox EC/IR II** breath test instrument for measuring the blood alcohol content (BAC) of an arrest driver. **The instruments are located in the Traffic Safety office, in the Breath Alcohol Testing (B.A.T.) Mobile Unit, and in the Mounted Patrol Stables.**
- b. Traffic Safety Officers certified to operate the **Intox EC/IR II** breath test instrument will administer the test in accordance with the regulations set forth by the State Department of Health and Senior Services and will comply with the checklist on page three of the "Alcohol Influence Report" (DOR Form 2389), indicating each point completed by placing an "X" in the box preceding the point.

NOTE: If circumstances surrounding the arrest make it necessary for the arresting Officer to conduct a further investigation and seek assistance at his/her District station, the Officer may book the person in the District of arrest or at the City Justice Center after the breath test.

- c. The **Intox EC/IR II** breath test instrument prints **one original report containing the results of the breath test. Officers must make two additional copies; one for attaching to the Missouri Uniform Citation and one for submission to the DOR. The instrument also prints one original Maintenance Report.**
- d. The arresting Officer will ensure that all pertinent information is printed on the original and both copies of the **breath test report.**

2. Breath Alcohol Testing (B.A.T.) Mobile Unit (61.1.11)

- a. The Department Breath Alcohol Testing Mobile Unit (B.A.T. Mobile), operated by the Traffic Safety Officers, is available for testing the blood alcohol content (BAC) of a driver. Officers may request dispatch of the unit to the scene of an arrest via the SODD Channel.
- b. The B.A.T. Mobile is equipped with:
 - 1) **Intox EC/IR II** breath test instrument;
 - 2) Video camera and video recorders; and
 - 3) Necessary police report and Department of Revenue forms.
- c. Procedures:
 - 1) Traffic Safety Officers certified to operate the **Intox EC/IR II** breath test instrument will administer breath tests and assist in preparing Department police reports and forms.

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- 2) The B.A.T. Mobile will be requested when an arrested driver either agrees or refuses to take a breath test. If the subject refuses to take the test, his/her refusal can be videotaped for later proceedings.
- 3) If a driver requires medical attention, the B.A.T. Mobile will not be requested until treatment has been provided or until the driver signs the "Refusal of Medical Care" form (MPD Form GEN-288).

3. Administering the Chemical Blood or Urine Test

a. Blood Test

The arrested driver will be formally signed into the emergency room. The arresting/seizing Officer must observe the extraction of the blood sample to ensure that the chain of evidence is not broken. One grey-topped vial of blood will be submitted to the Department Laboratory for analysis as soon as possible. The container containing the blood sample will be labeled and initialed by the arresting/seizing Officer.

NOTE: If a breath test has been given to the arrested driver already, only a blood test or a urine test may be administered.

b. Urine Test

Urine tests will indicate the presence or absence of a drug or controlled substance. Urine samples may be taken at the hospital or any Department location. Urine specimen containers are available at the emergency rooms of Barnes-Jewish Hospital, St. Louis University Hospital, and St. Alexius Hospital, or at the Traffic Safety Section. Urine specimen containers also can be ordered from the Department Supply Division. The urine specimen must be obtained in the presence of an Officer and conveyed to the Department Laboratory. An attempt should be made to collect 30 milliliters of urine. The specimen containers will be marked and labeled in the usual manner. The Laboratory will notify the Officer when test results are available. The seizing Officer must witness the urine specimen. The Officer who witnesses the collection of urine into the specimen container must be of the same gender as the arrested driver. The seizing Officer will convey the specimen to the Laboratory.

4. Number of Tests Administered

- a. State statute limits the number of tests to not more than two (2) for any single occurrence. Generally, only one test will be given to a driver. However, there are circumstances that may justify a second test (e.g., a low blood alcohol count (BAC) on the breath test, but the driver verbally admits using drugs). The driver also might be exhibiting a "high" condition or other degree of impairment that only a blood or urine test would detect.
- b. The tests can be two of the same or a combination, such as breath and urine. If the driver consents to only one test, and refuses the second test, a "Refusal to Submit to Alcohol/Drug Chemical Test Notice of Revocation," (DOR Form 4323) should be prepared. The arresting Officer will be required to certify that the arrested driver did not have more than one chemical test administered before a blood sample is drawn.

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Officers will sign the "Hospital Certification Form," which will be supplied by the hospital.

I. TEST RESULTS FOR NON-COMMERCIAL VEHICLE DRIVERS 21 YEARS OLD OR OLDER

1. Breath Test

a. Breath Test Indicates Blood Alcohol Content (BAC) is greater than 0.02% but less than 0.08%.

- 1) An Officer certified in the Standardized Field Sobriety Test (SFST) must be contacted to administer the field sobriety test.
- 2) The driver will not be booked unless one or more of the following conditions is present:
 - a) There is evidence that the chemical analysis is an unreliable indicator of the driver's intoxication at the time of the alleged violation due to the lapse of time between the violation and the time the specimen was obtained;
 - b) There is evidence that the driver is under the influence of a drug, controlled substance, both, or a combination of either with alcohol. An additional blood or urine test will be given; or
 - c) There is substantial evidence of impairment from physical observations of the SFST-certified Officer. The "Alcohol Influence Report" (DOR Form 2389) will not be sent to the Department of Revenue unless the suspect refuses to submit to an additional test.

b. Breath Test Indicates Blood Alcohol Content (BAC) is 0.08% or More

- 1) The driver will be considered intoxicated at the time the specimen is taken.
- 2) If the driver is charged with the State or City Ordinance charge, the following documents, required by the Department of Revenue, must be placed in the Headquarters-Warrant Fugitive (CID) envelope (MPD Form GEN-227) along with the accompanying checklist and sent to the Warrant and Fugitive Division:
 - a) One copy of the "Notice of Suspension/Revocation of Your Driving Privilege" (DOR Form 2385);
 - b) Valid Missouri Driver's license, when applicable;
 - c) One copy of the **Intox EC/IR II** breath test instrument printout;
 - d) One copy of the Missouri Uniform Citation(s) for the traffic violation(s) which caused the subject to be stopped;
 - e) One copy of the "Alcohol Influence Report" (DOR Form 2389) with live signature of arresting Officer;
 - f) I/LEADS report with narrative; and
 - g) One copy of the **Intox EC/IR II** breath test instrument Maintenance Report.

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- 3) The Headquarters-Warrant Fugitive (CID) envelope (MPD Form GEN-227) will be delivered to the Warrant and Fugitive Division by the Officer making the daily District mail run. Officers making the mail run will sign the Warrant and Fugitive logbook. Sergeants will ensure that the pre-addressed envelope is sealed before being transported. Warrant and Fugitive will forward the package to the Department of Revenue.

Missouri Department of Revenue
P.O. Box 3700
Jefferson City, MO 65102

- c. Breath Test Indicates Blood Alcohol Level is .35 of one percent or more

The subject will be taken to the hospital.

2. Blood Test

- a. When the driver is given the blood test and is charged with the State or City Ordinance charge, the Officer will deliver the blood sample to the Laboratory Division for analysis. The results of the analysis will be returned to the submitting Officer who will be responsible for complying with DOR requirements.
- b. Under these circumstances, results of the analysis will not be available immediately. Officers will base their decision to book or to release the driver based on evidence gathered during the course of the investigation. Observation of, and admissions by, the driver are very important criteria to include in the I/LEADS report.

J. POLICE DEPARTMENT AND DEPARTMENT OF REVENUE REPORTS / FORMS

1. Department of Revenue Forms

- a. “Notice of Suspension/Revocation of Your Driving Privilege” (DOR Form 2385) or “Refusal to Submit to Alcohol/Drug Chemical Test Notice of Revocation” (DOR Form 4323)

- 1) The original will be served to the arrested driver; and
- 2) A copy will be put in the Headquarters-Warrant Fugitive (CID) envelope (MPD Form GEN-227) for forwarding to the Department of Revenue.

NOTE: Officers will not complete the bottom portion of the DOR Form 2385. The form is valid even if the driver refuses to sign it.

- b. “Alcohol Influence Report” (AIR) (DOR Form 2389)

- 1) Completed when administrative revocation procedures apply or the driver refuses to submit to a test to determine blood alcohol content (BAC).
- 2) The original will be retained for the District/Division/Section file.
- 3) One copy will be used for information application.
- 4) One copy will be forwarded to the Department of Revenue.
- 5) Scanned into the I/LEADS report.
- 6) See section K of this document entitled, “Preparing the Alcohol Influence Report (AIR) (DOR Form 2389).”

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c. Intox EC/IR II Breath Test Instrument Results

- 1) **The instrument prints** one original report **and Officers must make two additional copies.**
- 2) The original will be attached to the original AIR (DOR Form 2389) and retained for the District/Division/Section file.
- 3) One copy is attached to the first two copies of the Missouri Uniform Citation.
- 4) One copy is attached to a copy of the AIR (DOR Form 2389) for submission to the Department of Revenue **along with the printed instrument Maintenance Report.**
- 5) Scanned into the I/LEADS report.

2. Police Department Forms

a. Request for Blood Test or Urine Sample Form (MPD Form GEN-272)

- 1) One original and two copies will be made.
- 2) The original will be submitted with the warrant application.
- 3) One copy will be given to the administering hospital staff.
- 4) One copy will be retained in the District files.
- 5) Scanned into the I/LEADS report.

3. Refusal Protocol – Documents to be Sent to the Department of Revenue

- a. One copy of the “Alcohol Influence Report” (DOR Form 2389);
- b. One copy of all issued Missouri Uniform Citations;
- c. Missouri Uniform Crash Report, if applicable;
- d. Missouri Driver’s license, if in driver’s possession;
- e. “Refusal to Submit to Alcohol/Drug Chemical Test Notice of Revocation” (DOR Form 4323)

NOTE: In the I/LEADS report narrative, always include the information that a digital video recording was made of the interview and burned to a DVD.

K. PREPARING THE ALCOHOL INFLUENCE REPORT (AIR) (DOR FORM 2389)

1. DWI/DUI-OMVUIIL/D Reports

The “Alcohol Influence Report” (DOR Form 2389) may be hand-printed or computer-generated. The remainder of the police report must be completed in I/LEADS.

2. Use of “X” Mark in Pertinent Spaces

Use an “X” mark in all spaces where a mark is required in the report. A check mark is not acceptable and the report will be returned to the reporting Officer.

3. Information That Does Not Apply

If the question on the form does not apply to the DWI/DUI-OMVUIIL/D incident, neatly enter “N/A” (Not Applicable) beside the section. If the information is not present, enter “None.” Every section is to be completed, except those designated through this Order as not to be completed by the reporting Officer.

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4. Entering Date and Time

All dates and times entered on the “Alcohol Influence Report” (DOR Form 2389) will be indicated as follows:

- a. Date: Month/Day/Year, i.e., “January 1, 2004” will be shown as “01/01/2004”
- b. Time: All times will be entered as in 24-Hour time format (e.g., an incident occurring at 4:30 p.m. will be entered as 1630) and the appropriate “a.m.” or “p.m.” designation will be marked.

5. Specific Instructions for Preparing Page One of the “Alcohol Influence Report” (DOR Form 2389)

a. General Information (Section One)

- 1) ORI Number: Enter “MOSPD 000X” where “X” represents the District Number. Traffic Safety Section will be represented by “0033.”

EXAMPLE: “MOSPD 0001” to represent the “First District.”

- 2) Report Number: Enter the complaint number of the report (e.g., 04-123456).
- 3) UC Number: Only enter the Missouri Uniform Citation number for the charge of DWI/DUI-OMVUIIL/D. All charges will be entered on a “Personal Descriptors Continuation Form” (MPD Form 1-A).
- 4) Time of Initial Contact: Enter the time the Officer first made contact with the suspect.
- 5) Time of Accident: Enter the time of the accident, if applicable, or “N/A.”
- 6) County of Arrest: Enter “City of St. Louis.”
- 7) Charge: Mark either “County or City Ordinance” or “RSMo. 577.010 or 577.012”. If “County or City Ordinance” is marked, place a circle around the word “city.”
- 8) Reason for Initial Contact: Mark either “Traffic Violation,” “Accident,” “Sobriety Checkpoint” or “Other.” When “Other” is selected, the Officer will explain the reason for the initial contact in the space provided.
- 9) Arrested/Stopped Person Was Observed Driving/Operating a Motor Vehicle
By: The arresting Officer will print his/her name and DSN, and sign his/her name in the space provided. If the Officer did not observe the suspect driving the motor vehicle, the name of the witness will be entered in this space and the Officer will explain how probable cause was established in the narrative.

b. Identification of Arrested Person (Section Two)

This section contains information about the driver of a motor vehicle who has been arrested for DWI/DUI-OMVUIIL/D as well as pertinent information concerning the

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motor vehicle which the arrested driver was operating. Complete all items of this section.

- 1) Full Name: Enter the full name of the driver of the vehicle. The name should be entered exactly as it appears on the driver's license, unless it is determined that the name on the driver's license is incorrect. The manner of entering the name of the driver will be last name, first name, middle name or initial. When the person has no middle name or initial, an "X" will be entered. For example, "Smith, Mary X."
- 2) Date of Birth: Enter the date of birth of the arrested person in the following manner: Month/Day/Year (MM/DD/YY).
- 3) Address: Enter the driver's most current address. Include city, state, and zip code information.
- 4) Personal Descriptors: Enter the race, sex, height, weight, eye color, and hair color of the driver.
- 5) Driver's License Number and State: Enter the driver's license number from the driver's license card. Enter the State in which the license was issued using the standard two-letter abbreviation.
- 6) Vehicle Information: Enter the vehicle license number, State, year, make, model color and VIN of the vehicle that the driver was operating at the time of the arrest.

c. Observation (Section Three)

This section provides a list of common observations of the driver to be performed by the arresting Officer. The observations to be made are: Breath, Eyes, Pupils, Balance, Walking, Speech, Clothing/Footwear, Clothing Soiled By, Unusual Actions and Attitude. All observations are to be performed and Officers are to mark all that apply for each observation. For example, when the Officer observes the driver walking, and the driver is "swaying" and "stumbling," both items should be marked. Any pertinent remarks should also be added.

d. Sobriety Tests (Section Four)

Officers will administer at least two-sobriety tests and mark them on the form. Tests not used will have a line drawn through them and "N/A" printed next to them. Any pertinent remarks should be added. The sobriety tests are:

- 1) Counting: Ask the driver to count to a predetermined number, forward or backward.

EXAMPLE: The driver may be asked to count backward from 53 to 32.
- 2) Alphabet: Ask the driver to say the alphabet and indicate the letters missed by the driver.
- 3) Walk-and-Turn Test *: Ask the driver to look straight ahead, keep arms at sides, and walk a straight line by placing the heel of one foot directly in front of

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the toe of the other. Mark all mistakes on the form that apply. Test is administered in accordance with the standardized method indicated by the National Highway Traffic Safety Administration.

- 4) Finger-To-Nose: Ask the driver to stand with his/her feet together, extend arms away from sides even with the shoulders, tilt head back, close eyes, and touch his/her nose with the tip of the right index finger and then the left index finger.
- 5) PBT (Portable Breath Test) *: Indicate if breath test was positive for alcohol.
- 6) One-Leg-Stand Test *: Ask the driver to stand still while holding one foot approximately six inches off the ground. Mark all mistakes on the form that apply. Test is administered in accordance with the standardized method indicated by the National Highway Traffic Safety Administration.
- 7) Gaze Nystagmus *: Only Officers who have completed the certification course may use this test. Test is administered in accordance with the standardized method indicated by the National Highway Traffic Safety Administration.
- 8) Other: Officers may use other sobriety tests (e.g., Romberg Test) and explain in the space provided.

NOTE: Items marked with a “*” may only be administered by a SFST-certified Officer.

6. Specific Instructions for Preparing Page Two of the “Alcohol Influence Report” (DOR Form 2389)

Enter the ORI Number and the Report Number on the top of page two exactly as they appear in Section One, page one.

a. Implied Consent (Section One)

The arresting Officer will read to the driver the Implied Consent section exactly as it appears on DOR Form 2389 and mark the box preceding each instruction as it is read and understood by the suspect. The Officer will mark the chemical test(s) on line two that the suspect is being asked to take. The Officer will also mark the box indicating the suspect’s response and complete the entry for the time. If the driver contacts anyone by phone for advice, the name of the person contacted will be entered in the space provided. If the driver refuses to disclose the name of the person contacted, the Officer will print “Refused to Identify.”

b. Chemical Test Refusal (Section Two)

If the suspect refuses to submit to any chemical tests, the Officer will mark the space indicating the refusal, provide details of this fact in the narrative, and contact the B.A.T. Mobile or convey the arrested driver to a testing location to videotape the refusal.

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c. Chemical Test Instrument (Section Three)

The Department uses the **Intox EC/IR II** breath test instrument for chemical testing of blood alcohol content (BAC).

The person operating the instrument will complete this section by marking the boxes preceding the instructions, as they are performed.

d. Certification of Examination by Operator (Section Four)

Only the person operating the **Intox EC/IR II** breath test instrument will complete the entries for this section. The arresting Officer will serve as the witness in all instances where he/she is not also the operator.

7. Specific Instructions for Preparing Page Three of the “Alcohol Influence Report” (DOR Form 2389)

a. Miranda Rights (Section One)

For the purposes of DWI/DUI-OMVUIIL/D, Officers will give the Miranda Warnings as they appear on DOR Form 2389 and will mark the box preceding each right as it is read to the driver. The Officer will mark where the Miranda Warnings were given, if the warnings were understood by the driver, and the date and time the driver was issued the warnings. If the driver wishes to exercise his/her rights and not answer any questions or make any statements, the Officer will note this in the narrative.

b. Interview (Section Two)

If the driver has waived his/her Miranda Rights, the Officer will complete the actual time, day of the week, date, and the interviewer’s name portions on the form. The interviewing Officer will print/type his/her name and DSN then sign the form for the “Interviewer’s Name.”

c. All questions listed in this section will be asked of the driver exactly as they appear on the form. The driver’s responses will be printed/typed on the form. If the driver is not able to answer or does not wish to answer, the Officer will note this in the narrative.

8. Specific Instructions for Preparing Page Four of the “Alcohol Influence Report” (DOR Form 2389)

a. Statement of Blood Drawer (Section One)

1) The arresting Officer will ensure that the licensed physician, registered nurse, or trained medical technician (Phlebotomist, Paramedic, etc.) who takes the sample of blood from the arrested driver follows the directions listed in this section. The seizing Officer will witness the blood draw.

2) The arresting Officer will record the pertinent information in this section and have the person drawing the arrested driver’s blood sign his/her name.

b. Certification of Field Sobriety Test Training (Section Three)

Completed by SFST-certified Officer.

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c. Identification of Arresting Officer (Section Four)

The Officer will mark the box for “Municipal Officer” and complete the remaining entries as follows:

- 1) Name of Arresting Officer: Print/type name, then sign name
- 2) Badge Number/Rank: Enter your Badge number/DSN/rank
- 3) Name of Police Agency/Troop Letter; Enter “St. Louis Metropolitan Police Department” and your assignment code
- 4) Complete Mailing Address: Enter the address of your Area Station
- 5) Business Telephone Number: Enter the telephone number of your Area Station
- 6) City, State, Zip Code: Enter “St. Louis, Missouri and the ZIP code of your Area Station

d. Verification (Section Four)

- 1) When the report has been completed, the arresting Officer will determine if a copy of the report must be forwarded to the Department of Revenue and ensure that the original and the copy to be forwarded contain the live signature of the Officer.
- 2) Two additional copies of the report will be produced.

DSD/jb

METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER

Date Issued: November 11, 2010 **Order No.:** Section IV of SO 7-01

Effective Date: November 11, 2010 **Expiration:** Indefinite

Reference:

CALEA Standards: 41.2.3; 61.2.2; 61.3.1; 61.3.2; 61.3.3; 61.3.6

Cancelled Publications: Section IV of SO 7-01 issued July 17, 2007

Subject: TRAFFIC DIRECTION AND CONTROL

To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To provide procedures for traffic direction and control.

A. TRAFFIC ENGINEERING DEFICIENCIES (61.3.1.a)

1. The Department will investigate reports of serious or potentially serious traffic related problems indicated by citizens, observations of Officers, or through Departmental reports. The Traffic Safety Section will be the Department's liaison to MoDOT for state highways. However, in emergency situations, contact to MoDOT will be made through the Dispatcher. The St. Louis Street Department will be notified through the Dispatcher or directly to the St. Louis Street Department (314) 647-3111 for municipal streets.
2. If needed, an analysis in memorandum format will be generated by the Traffic Safety Section or District Commander either refuting the problem or concurring and providing suggestions to improve the issue.
3. The Commander of Traffic Safety or District Commander will determine if a formal analysis is required.
4. The analysis may consist of, but is not limited to:
 - a. Detailed analysis of Police reports,
 - b. Analysis of calls for service,
 - c. Photographs,
 - d. Department High Accident Location Report.
5. Any completed analysis will be forwarded through the chain of command to the **Chief of Police** for approval prior to being forwarded to any governmental agency for their analysis and possible action.

B. TRAFFIC DIRECTION AND CONTROL (61.3.2)

1. Crash Scene Traffic Direction (61.3.2.a)
 - a. Officers performing traffic direction at crash scenes will allow for the safe ingress and egress of emergency vehicles and provide alternative routes for other traffic.
 - b. The following may be used by Officers to aid in protecting crash scenes:

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- 1) Police vehicles with activated overhead lights;
- 2) Flares;
- 3) Traffic cones; and
- 4) Barricades.

2. Manual Traffic Direction Procedures (61.3.2.b)

Officers assigned to direct traffic should use the following uniform signals and gestures perform traffic direction:

- a. Stopping Traffic - To stop traffic, the Officer should first extend the arm and index finger toward, and look directly at the driver to be stopped, until that driver is aware, or it can be reasonably inferred, that the driver is aware of the Officer's gesture. The pointing hand is then raised at the wrist so that the palm is toward the driver to be stopped. The palm is held in this position until the driver is observed to stop. To stop traffic from both directions, the procedure is then repeated for traffic coming from the other direction while continuing to maintain the raised arm and palm toward the previously stopped traffic.
- b. Starting Traffic - To start traffic, the Officer should first stand with shoulder and side toward the traffic to be started, extend the arm and index finger toward, and look directly at the driver to be started, until that driver is aware of, or it can be reasonably inferred that the driver is aware of the Officer's gesture. With palm up, the pointing arm is swung from the elbow, through a vertical semicircle, until the hand is adjacent to the chin. If necessary, this gesture is repeated until traffic begins to move. To start traffic from both directions, the procedure is then repeated for traffic coming from the other direction.
- c. Right or Left Turning - When directing a driver to make a turn, the extended arm and index finger and gaze are first directed toward the driver, followed by swinging the extended arm and index finger in the direction of the drivers intended turn.
- d. Use of Flashlight - A flashlight can be used to stop traffic. To stop traffic, slowly swing the beam of light across the path of oncoming traffic. The beam from the flashlight strikes the pavement as an elongated spot of light. After the driver has stopped, arm signals may be given with the vehicle headlights providing illumination.

3. Fire Scene Traffic Direction (61.3.2.c)

- a. The primary task of Officers engaged in traffic direction at fire scenes will be to maintain access avenues to and from the scene for emergency vehicles.
- b. Officers will coordinate their efforts with the fire department's officer in charge at emergency scenes to provide crowd control and adequate safety measures for vehicular and pedestrian traffic.

4. Adverse Weather and Road Conditions (61.3.2.d)

- a. Adverse weather and road conditions may include:

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- 1) Crash hazards, such as debris;
 - 2) Acts of nature (fog, snow, flooding, ice etc.); and
 - 3) Engineering hazards (exposed guardrail end, downed power lines, or other objects that may cause damage or injury should a vehicle impact with such objects).
- b. Upon discovering an adverse weather or road condition, Officers will take appropriate action which include, but are not limited to:
- 1) Notifying the appropriate agency through Communications;
 - 2) Providing traffic direction as needed;
 - 3) Protecting the scene; and
 - 4) Immediately correct the situation if possible.
5. Operation of Traffic Control Signals (61.3.2.e)
- a. Traffic signals may be manually controlled by Officers.
 - b. Officers may place signals on four way flash, in emergency situations, to temporarily alleviate a traffic control problem. Officers will notify Communications and, if necessary, request that notification be made for service or repair.
6. Temporary Control Devices (61.3.2.f)
- a. Temporary traffic control devices include; moveable barriers, portable signs, traffic cones, and other similar apparatus intended to assist in the safe and efficient movement of vehicular or pedestrian traffic.
 - 1) When portable barricades, cones or signs are required, they will be delivered and removed by an Officer.
 - 2) Every marked police vehicle will contain flares for Officers' traffic control use.
 - b. Temporary traffic control devices may be used for circumstances that include:
 - 1) Sustained power outages that render traffic control signals inoperative.
 - 2) Special events.
 - 3) Traffic crashes.
 - 4) Other situations as deemed appropriate by a supervisor.
 - c. High Visibility Clothing (61.3.2.g)
 - 1) The Department will provide high visibility reflective clothing to its Officers who may be assigned to traffic direction.

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- 2) Officers will wear the high visibility reflective clothing whenever performing traffic direction.
- 3) In emergencies when an Officer has no time to put on high visibility reflective clothing, the Officer will make every reasonable effort to obtain one when time permits.
- 4) Each Officer, who may be assigned to traffic direction during duty hours, will be responsible for having high visibility reflective clothing available.
- 5) The orange reflective traffic vest, orange raincoat, or Department issued coat with reflective material will qualify as high visibility clothing.

C. LAW ENFORCEMENT ESCORTS (61.3.3)

Escort services, both routine and emergency may be provided under the following circumstances:

1. Law Enforcement Escort (61.3.3.a)

- a. Emergency escorts will not be given unless authorized by a supervisor.
- b. Requests for non-emergency police escorts, such as funeral, public officials, or dignitaries will be referred to the Watch Commander for authorization and assignment.
- c. A supervisor may authorize non-emergency escorts in special circumstances, such as heavy equipment, oversized loads, and hazardous or unusual cargoes on local roads.

2. Emergency Civilian Vehicle Escort (61.3.3.b)

- a. Department vehicles will not be used to provide escorts for ill or injured persons who are passengers in non-emergency vehicles.
- b. The patient will, whenever possible, be transferred to an EMS unit for the trip to the hospital. If an EMS unit is not immediately available, and the patient is seriously ill/injured, a police vehicle (preferably a cruiser) may be used.
- c. A driver of a non-emergency vehicle will be prohibited from following a police vehicle transporting a patient to the hospital. Instead, an Officer will provide the driver with directions to the hospital and instruct him/her to follow all traffic regulations.

D. ROUTINE ROAD BLOCKS

1. Marked police vehicles may be used to perform roadblocks ONLY for routine traffic control. **(41.2.3.a)**
2. Unmarked police vehicles may be used to perform roadblocks ONLY for routine traffic control, if authorized by a Supervisor. **(41.2.3.a) (41.2.3.d)**
3. Routine traffic control may consists of, but is not limited to: **(41.2.3.a)**

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- a. Traffic control for accident scenes, **(61.2.2.g)**
 - b. Traffic control to assist Fire Department at fires,
 - c. Securing parade routes,
 - d. Parade and special event traffic control.
 - e. Presidential motorcade traffic control.
4. When police vehicles are used for routine traffic control roadblocks, the following procedures should be followed. **(41.2.3.b)**
- a. Emergency roof lights will be activated.
 - b. Additional marking devices such as flares, cones, and barricades will be used if necessary.
 - c. Vehicle driving lights will be on.
 - d. Vehicle hazard lights will be on and flashing.
 - e. The Officer should be in a safe location outside of the vehicle.
 - f. The Officer should wear reflective equipment.

E. REGIONAL TRANSPORTATION MANAGEMENT PLANNING COMMITTEES **(61.3.6)**

1. The Department maintains a liaison with various regional transportation management planning committees. The Traffic Safety Commander serves as a member of the Board of Directors of the Missouri Governor's Division of Highway Safety Law Enforcement Traffic Safety Advisory Council.
2. The Traffic Safety Deputy Commander will serve as the liaison with the Missouri Department of Transportation (MoDOT) and will attend meetings on an "as needed" basis. Participation is intended to ensure proper consideration of law enforcement needs and service demands prior to and during project implementation.
3. As necessary, the Traffic Safety Commander will also act as the liaison with any other organization or groups that deal with or have traffic safety issues (i.e., Downtown Inc., the St. Louis Cardinals LLC, the St. Louis Rams, etc.).

DI/jb

**METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER**

Date Issued: July 17, 2007 **Order No.:** Section V of SO 7-01

Effective Date: July 17, 2007 **Expiration:** Indefinite

Reference:

CALEA Standards: 61.2.2; 61.4.1; 61.4.2; 61.4.3; 61.4.4

Cancelled Publications:

Subject: ANCILLARY SERVICES

To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To provide procedures for various ancillary services performed by the Department

A. GENERAL ASSISTANCE (61.4.1.a)

1. All Officers will be responsible to provide reasonable and courteous assistance to motorists who are stranded, experiencing mechanical difficulty, or requesting information or directions.
2. Officers will notify the dispatcher to contact Motorist Assist, a Division of the Missouri Department of Transportation (MoDOT) to assist when needed. Motorist Assist patrols the St. Louis metropolitan area and their hours of operation are weekdays from 5:00 a.m. to 7:30 p.m.

B. MECHANICAL ASSISTANCE AND TOWING SERVICE (61.4.1.b)

1. On occasion, the highway user may encounter mechanical or other difficulties necessitating assistance or towing and must rely upon the Officer to summon or obtain the needed services. It is sometimes necessary for Officer to obtain towing service due to traffic accidents, criminal activity, stranded vehicles, or other events that require removal of vehicles. Officers needing a vehicle towed will abide by the procedures in SO 7-02, "Towing Procedures." (61.2.2.h)

NOTE: If the owner/operator requests a particular towing service, that service will be contacted by the owner, provided the service would have a reasonable response time.

2. Officers are not required to perform any maintenance or repair on non-Departmental vehicles having mechanical or other difficulties.

C. PROTECTION OF STRANDED PERSONS (61.4.1.c)

On occasion, Officers in the course of their routine patrol duties may encounter stranded motorists or pedestrians along the streets and highways. Officers will ensure those stranded persons receive assistance in a timely fashion or transportation to a place of safety. The following guidelines for providing assistance will be utilized:

1. Officers will stop and render reasonable assistance to motorists and pedestrians stranded on City streets or highways.

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2. If a hazardous situation is present and if appropriate, Officers will place warning devices in the roadway (traffic cones, flares, etc.) or use their emergency warning lights to warn appropriate traffic.
3. Officers may transport stranded motorists/pedestrians to the nearest location where they can receive further assistance. Communications will be notified of advised of the destination.
 - a. Unless there is an immediate threat or danger to stranded motorists, assisting those stranded will not interfere or alter response to a serious incident.
 - b. Stranded motorists and pedestrians will not be left abandoned when they are exposed to hazardous locations or environments such as remote highways, extreme weather conditions or high crime neighborhoods. In consideration of higher priority police calls, an Officer electing to leave a stranded person will return as soon as possible or request another Officer be dispatched to the persons location to ensure that help has been received.

D. EMERGENCY ASSISTANCE (61.4.1.d)

In the course of routine patrol duties, Officers often encounter various emergencies that require immediate action by the Officer such as fire and medical incidents. The following guidelines will be followed to ensure that the proper emergency assistance agency is notified and timely response is achieved.

1. Medical Emergencies

Upon encountering a medical emergency, Officers will immediately notify Communication of the location and nature of the emergency, requesting appropriate dispatch and response of EMS Units. Officer will then render appropriate first aid to the victim(s).

2. Fire Emergencies

Upon encountering a vehicle, structure, or other non-controlled fire, Officers will immediately notify the dispatcher of the location and nature of the fire, and request the Fire Department to respond.

E. CORRECTIVE ACTION FOR HAZARDOUS HIGHWAY CONDITIONS (61.4.2)

1. Roadway and roadside hazards are contributing factors in many traffic accidents. In order to mitigate these factors, Officers will take appropriate action to correct the hazardous conditions.
2. Hazardous situations or conditions that require action by Officers include, but are not limited to, the following:
 - a. Debris in the roadway;
 - b. Defects in the roadway;
 - c. Snow and ice conditions;
 - d. Dead animals in the roadway;

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- e. Lack of, or defects in, highway/roadway safety features (guard rails, reflectors, etc.);
 - f. Lack of, improper, obstructed, down, or damaged traffic control devices/signs;
 - g. Lack of or defective roadway lighting; or
 - h. Vehicles parked, disabled, or abandoned on or near the roadway.
3. Officers encountering hazardous situations will take immediate appropriate actions to remove, arrange for removal, or arrange for notification of the proper authorities to correct such hazardous conditions. If appropriate, Officers will remain at the location for traffic direction and/or control until the hazardous situation is corrected.

F. TOWING PROCEDURES (61.4.3)

See SO 7-02, "Towing Procedures."

G. TRAFFIC SAFETY EDUCATIONAL MATERIALS AVAILABILITY (61.4.4)

Traffic safety educational materials that will inspire voluntary compliance with traffic laws will be made available to the public through:

1. Public Affairs Officers;
2. Departmental websites; and
3. Departmental publications.

JM/trp

**METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER**

Date Issued: September 5, 2012 **Order No.:** Section VI of SO 7-01

Effective Date: September 5, 2012 **Expiration:** Indefinite

Reference:

CALEA Standards: 61.2.1; 61.2.2

Cancelled Publications: Section VI of SO 7-01, issued August 29, 2011

Subject: MISSOURI UNIFORM CITATION (GEN-222 or Electronic)

To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To provide procedures for the issuance of the Missouri Uniform Citation, to include the electronic version of the citation prepared by authorized Officers through Mobile Ticketing.

A. GENERAL INFORMATION (61.2.1)

1. When the Missouri Uniform Citation NCR Paper Version (MPD Form GEN-222 or Electronic Version) Is Issued

- a. The Missouri Uniform Citation is issued for violations of City and Misdemeanor traffic and pedestrian violations when the violator is **15** years old or older, and for felony traffic violations when the violator is seventeen years old or older.

NOTE: The Missouri Uniform Citation will be issued for a felony traffic violation only after an Information has been issued by the Circuit Attorney.

- b. The Missouri Uniform Citation is issued instead of a Parking Violation Notice if an auto which is illegally parked is involved in a motor vehicle accident. **(61.2.1)**
- c. If the charge exists as both a city ordinance and a misdemeanor violation, then the violator will normally be charged with the city ordinance.
- d. Only one violation will be cited per Missouri Uniform Citation.
- e. **Electronic Format** - Only those Officers who have received formal training and are properly equipped may issue the Missouri Uniform Citation through the electronic format.
 - 1) Officers will report any equipment malfunctions immediately to a supervisor.
 - 2) Officers will ensure that a sufficient supply of thermal printer paper is in the vehicle to complete the shift. This paper may be destroyed if left in extreme heat for prolonged periods of time.
- f. Voiding Procedures for the Missouri Uniform Citation (NCR Paper Version – MPD Form GEN-222 and Electronic Version) are located in Section XI, paragraph C, of this Order.

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2. Proper Identification of the Violator

When citing a traffic violator, the Officer will ensure that the Missouri Uniform Citation contains the proper identification of the violator, including his/her home address and the business address, if available. Proper identification should be verified from two or more recently issued documents such as the driver license, vehicle registration, credit cards, professional cards, trade cards, employer's identification cards, or insurance cards. If, in the opinion of the Officer, the violator does not have sufficient identification indicating that he/she can be located for failure to appear in court, he/she will be arrested and booked, and required to post bond.

3. When Violator was Operating a Stolen Vehicle

If the violator was operating a stolen vehicle, the Officer will not include the license number of the vehicle on the Missouri Uniform Citation. In the place provided for the license number the Officer will write "STOLEN VEHICLE."

EXCEPTION: No license number will be entered on the electronic citation when the violator was operating a stolen vehicle. The words "STOLEN VEHICLE" will be entered in the "Additional Facts" area of the "Notes" screen located in the electronic application.

4. Wanted Checks

Officer must obtain wanted checks on all persons being cited for a traffic violation and their vehicles. If a vehicle license check does not match the vehicle description, then the Vehicle Identification Number (VIN) should be checked.

5. Refusal of Violator to Sign or Accept Missouri Uniform Citation

- a. If a violator who is not being booked refuses to sign a Missouri Uniform Citation for a city or misdemeanor traffic violation, the issuing Officer will write "Refused to Sign" in place of the violator's signature; if he/she refuses to accept a copy, he/she will be booked for the offense and required to post bail.

EXCEPTION: No signature is required on the electronic version since the "Violator's Copy" is the only copy printed at the site of the traffic stop.

- b. If the violator is arrested, the Officer will indicate the Arrest Register number on the Missouri Uniform Citation in the place provided.

NOTE: Officers using the electronic application can add the arrest register number to the citation in the application once the number is known.

6. Supplemental Information – Traffic Violations/State Infractions Form (MPD Form GEN-182)

- a. The "Supplemental Information – Traffic Violations/State Infractions" form will be completed in City ordinance traffic violation cases when the Officer feels that the violator's statement or unusual circumstances concerning a case should be brought to the attention of the Court, but (a) the Officer is unable to convey the information due to his/her absence at the arraignment session; and (b) no police report is required. The form must also be completed in those State traffic cases which do not require a police report.

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- b. NCR Paper Format (MPD Form GEN-222) – The “Information” copy will be attached and routed through usual means to both City and State Courts.
- c. Electronic Format – The “Information” copy of the electronic citation will be printed from a standard printer and attached to the Supplemental Information – Traffic Violations/State Infractions form and routed to the court through the usual means. For City Court cases, the margin of the attached copy will be clearly marked with the notation “SUBMITTED ELECTRONICALLY.”

B. MUNICIPAL COURT CITY TRAFFIC VIOLATIONS (61.1.2)

1. Violations Requiring Booking

- a. Operating a motor vehicle under the influence of intoxicating liquor or drugs.* **(61.2.2.c)**
- b. Left the scene of an accident.* **(61.2.2.b)**
- c. Reckless driving.*
- d. Multiple hazardous traffic charges (4 or more) resulting from one sequence of events.*
- e. Multiple non-payment of Pedestrian Violation notices (4 or more).*
- f. City traffic violation bench warrant.***
- g. Fleeing or Attempting to Elude a Police Officer (Felony Pursuit Situations).*
- h. Violated arrested because the arresting Officer feels violator has insufficient identification to insure appearance in court.**
- i. Violator in some manner indicates he/she will not appear in court or pay fine as required.***
- j. Violator refuses to accept Missouri Uniform Citation.***
- k. Violator chooses during the traffic stop to be formally arrested rather than surrender his/her driver’s license. (Only Missouri licenses may be seized.)***

* Arrest Report and Information Application required.

** Watch Commander will closely review these cases before booking. Information Application required without Arrest Report.

*** Arrest Report and Information Application not required.

2. Violations Payable at the City Traffic Violation Bureau

- a. After completion of the Missouri Uniform Citation, the Officer will inform the violator that:
 - 1) A prescribed fine and court cost may be paid at the City Traffic Violation Bureau, provided:

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- a) The offense does not require court appearance;
 - b) The violator desires to plead guilty and waive the right to trial.
- 2) To pay a citation, the violator, an immediate family member or an attorney must appear at the Traffic Violation Bureau within 21 calendar days after date of citation issuance (not payable first 10 court working days after issue, including issuance date).
 - 3) Court appearance is required if payment is not made in above time period.
- b. Instructions concerning the payment of traffic violations are contained on the reverse side of the “Summons/Violator’s Copy” of the Missouri Uniform Citation. The Officer will check the appropriate boxes on the back of the “Summons/Violator’s Copy” to reflect the proper instructions/Traffic Violation Bureau information.
 - c. Fines for violations not listed in “Violations Requiring Court Appearance” section can be paid at the Traffic Violation Bureau. The location and hours for the Violation Bureau appear on the back of the “Summons/Violator’s Copy” of the Missouri Uniform Citation. The person paying the fine and court cost must produce the “Summons/Violator’s Copy” of the Missouri Uniform Citation. The Missouri Uniform Citation must be signed by the violator indicating his/her plea of guilt and waiver of right to trial.
3. Violations Requiring Court Appearance

The following city traffic violations require the violator to appear in City Court:

- a. Second or subsequent moving offense of any type within proceeding 24 months, provided violator convicted on previous offenses.
- b. Speeding – 20 miles per hour or more above legal limit.
- c. Violator booked on separate City traffic violation.
- d. Any offense involving personal injury or property damage. **(61.2.2.a)**
- e. Reckless Driving.
- f. Left Scene of Accident. **(61.2.2.b)**
- g. Operating a motor vehicle under the influence of intoxicating liquor or drugs. **(61.2.2.c)**
- h. Traffic charges resulting from a vehicle pursuit.
- i. Displayed a fictitious or fraudulently altered driver license.
- j. Refer to the Schedule of Traffic Violations (MPD Form GEN-39) for a listing of, and procedures for, respective violations.

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4. Setting of Court Date

- a. NCR Paper Format (MPD Form GEN-222) - The court date on all Missouri Uniform Citations issued for city ordinance traffic violations will be set on the issuing Officer's next available traffic arraignment session at least 28 days from the date of issue.
- b. Electronic Format - After signing on to the electronic application each day, the proper court date will automatically populate once the Officer enters his/her City Court Group in the electronic version of the Missouri Uniform Citation.

5. Procedures when Violator Fails to Produce Driver License

If the violator fails to produce a driver license, a DOR computer inquiry will be made to determine if the violator has a license.

a. DOR/NLETS Inquiry Indicates Violator Has Valid Driver's License

- 1) A violator will be issued a Missouri Uniform Citation on the City charge "Failed to Display Operator License" when:
 - a) DOR inquiry reflects that the violator has a valid license; AND
 - b) Violator cannot produce at the scene a Missouri Uniform Citation with an unexpired court date for which license was taken.
- 2) The violator may be released on the street with a Missouri Uniform Citation.

b. DOR/NLETS Inquiry Indicates Violator Does NOT Have Valid Driver's License*

If the DOR or NLETS inquiry reflects that a violator does NOT have a valid driver license, he/she will be issued a Missouri Uniform Citation on the appropriate City charge listed below:

- 1) Missouri Residents Only: "No Operator License" (Class F, E & M)
- 2) Non-Missouri Resident: "No Operator License"

c. Violator Produces Missouri Uniform Citation With Expired Court Date

If the violator is driving on a Missouri Uniform Citation with an expired court date, no action will be taken unless the required wanted check reflects an active bench warrant.

6. Procedures when Violator Displays Improper Driver's License

If the violator produces a driver license of the improper type for the vehicle driven, he/she will be charged as follows:

- a. Missouri Resident Only: "Improper Class Driver License" (Class F, E & M)
- b. Non-Missouri Resident: "Improper Class License"

NOTE: Violator may be released on street with a Missouri Uniform Citation, but will not be permitted to drive after being cited.

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7. Distribution of the Missouri Uniform Citation Copies when Violator is Released on Street
 - a. Missouri Uniform Citation (MPD Form GEN-222) – NCR Paper Format
 - 1) The violator will be issued the “Summons/Violator’s Copy” of the Missouri Uniform Citation.
 - 2) The “Abstract of Court Record” copy, the “Information” copy, and the “Police Department Copy” of the Missouri Uniform Citation, and the driver’s license in lieu of bail (if available), will be submitted to the Officer’s supervisor. The supervisor will review it for accuracy, completeness, and legibility, specifying his/her initials and DSN on all three copies of the citation.
 - 3) The Supervisor will process and distribute the “Abstract of Court Record” and “Information” copies of the Missouri Uniform Citation to the City Courts as outlined on the reverse side of the Traffic Transmittal Envelope for City Court Traffic Summonses (MPD Form GEN-316).
 - 4) The “Police Department Copy” of the Missouri Uniform Citation will be sent to the Telephone Reporting Unit (TRU) in a Department Transmittal Envelope (MPD Form GEN-121).
 - 5) The Officer will retain the “Officer Record” copy of the Missouri Uniform Citation.
 - b. Missouri Uniform Citation, Electronic Format
 - 1) The “Violator’s Copy” will be printed at the location of the traffic stop from the printer in the vehicle.

NOTE: The printer will NOT print on both sides of the paper to create a duplex copy. Make sure that both the front and back side of the Missouri Uniform Citation are printed and given to the violator.
 - 2) The Supervisor will approve the electronic Missouri Uniform Citation in the application, within 72 hours.

NOTE: Any electronic Missouri Uniform Citation not receiving supervisory approval within 72 hours will automatically be forwarded to the City Courts.
 - 3) No copies of the electronic Missouri Uniform Citation will be sent to the TRU.
 - 4) The electronic Missouri Uniform Citation will be maintained in the REJIS database and can be retrieved and printed as needed.
8. Distribution of the Missouri Uniform Citation Copies when Violator is Booked
 - a. Missouri Uniform Citation (MPD Form GEN-222) – NCR Paper Format
 - 1) The “Summons/Violator’s Copy” of the Missouri Uniform Citation will be placed in the violator’s property until his/her release from police custody.

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- 2) The “Abstract of Court Record” and “Information” copies of the Missouri Uniform Citation will be retained by the Unit of arrest to be presented to the City Counselor’s Information Office by the Officer applying for the information, if required. (Information application may be required due to the nature of the charge, such as left scene, DUI, etc., or because the 20-hour rule is in effect.)

NOTE: If the violator has been released from custody and an information application is not required, the “Abstract of Court Record” and “Information” copies of the Missouri Uniform Citation will be delivered to the City Courts by the day watch applying Officer in a Traffic Transmittal Envelope for City Court Traffic Summonses (MPD Form GEN-316).

- 3) The “Police Department Copy” of the Missouri Uniform Citation will be submitted to the Officer’s Supervisor for review and then sent to the TRU in a Department Transmittal Envelope (MPD Form GEN-121).
- 4) The “Officer Record” copy will be retained by the Officer for his/her records.

b. Missouri Uniform Citation, Electronic Format

- 1) The “Violator’s Copy” of the Missouri Uniform Citation will be printed and placed in the violator’s property until his/her release from police custody.
- 2) The “Abstract of Court Record” and “Information” copies will be printed from a standard printer to be presented to the City Counselor’s Information Office by the Officer applying for the Information, if required. The margin of the each copy will be clearly marked with the notation “SUBMITTED ELECTRONICALLY.”
- 3) Following supervisory approval or after 72 hours, City Court will automatically receive electronic Missouri Uniform Citation data. A copy of the electronic Missouri Uniform Citation WILL NOT be transmitted to the City Court in a Traffic Transmittal Envelope for City Court Traffic Summonses (MPD Form GEN-316).
- 4) No copies of the electronic Missouri Uniform Citation will be sent to the TRU.
- 5) The electronic Missouri Uniform Citation will be maintained in the REJIS database and can be retrieved and printed as needed.

9. Electronic Citations Rejected from City Court

a. Most Commons Reasons for Rejection

- 1) Zip Code – A valid zip code must be entered into the application; the zip code cannot be all zeros;
- 2) Operator License – State and expiration information must be entered when a driver license number is entered;
- 3) Vehicle Registration – The month and year of expiration must be entered when a license plate number is entered; and

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4) Violator Address – an address that includes the street number is required.

b. Supervisory Responsibilities for Rejected Tickets

1) The rejected citation will appear on the Ticket Accountability Report with the reason for rejection.

a) Supervisors will review the Ticket Accountability Report at least daily for any rejected citations written by Officers under their supervision.

(1) The Ticket Accountability Report can be found in the Mobile Ticketing application through the following path:

“Reports ⇨ Ticket Accountability ⇨ Export Reports ⇨ Run Report”

b) The supervisor will cause the rejected citation to be corrected in the electronic application.

c) The corrected citation will be automatically transmitted to City Court during next data transmittal. (No action needed by the supervisor.)

d) The citation will be removed from the Ticket Accountability list once it is accepted by City Court.

C. MISDEMEANOR AND FELONY TRAFFIC VIOLATIONS (61.2.2)

1. General Information

a. Setting the Court Date for Circuit Court

NCR Paper Format (MPD Form GEN-222) - Officers will set the court date for misdemeanor traffic offenses according to the Misdemeanor Traffic Court Date Schedule prepared annually by the Court Liaison Office.

Electronic Format - The next available court date will automatically be displayed when the 22nd Judicial Court is selected. Courtroom 26 is also the default courtroom.

b. Department of Revenue (DOR) License Status Check

A wanted check and DOR license inquiry will be made on each person charged with a felony or misdemeanor traffic violation prior to release to determine if the violator is wanted or if the driver license is suspended or revoked.

NOTE: The Officer will provide the clerk making the computer inquiries with the defendant's driver license number, if it is known, or the full name, pedigree and date of birth of the defendant.

2. Requirements for Misdemeanor and Felony Traffic Violations

a. The booking and report requirements for misdemeanor and felony traffic violations are listed in the Schedule of Traffic Violations (MPD Form GEN-39). Information

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applications are required in all cases although generally a day watch Officer is permitted to complete the application.

- b. Whenever an Information is applied for by anyone other than the PIO, the PIO will have the responsibility to insure that the information application has been properly completed.

NOTE: The arresting Officer will personally apply in all DWI cases where the violator refused to take the breath test.

- c. Items Required When Applying for Information

The applying Officer will present the following items to the Circuit Attorney's Office when applying for the information:

- 1) One copy of the police arrest report and any related reports (either original or supplementary).

EXCEPTION: Two copies will be required in DWI cases.

- 2) The "Abstract of Court Record" and "Information" copies of the Missouri Uniform Citation.

NOTE: The "Abstract of Court Record" and "Information" copies of electronic citations will be distributed the same as the NCR paper-format citations (MPD Form GEN-222), since no electronic interface exists to automatically transmit data to the Circuit Courts.

- 3) Original and three copies of the Information Disposition Report with complaint number.

NOTE: One copy of the report will be retained by the attorney issuing or refusing the information.

- 4) Computer printout reflecting the results of a Department of Revenue inquiry concerning the violator's driving history.
- 5) Victims, witnesses and evidence, if applicable.
- 6) Criminal Information Report (C.I.R.) in all DWI cases.
- 7) Supplemental Information – Traffic Violations/State Infractions form (MPD Form GEN-182) (In Appropriate Cases).

3. Processing of Missouri Uniform Citation in Misdemeanor Traffic Violations

- a. Missouri Uniform Citation (MPD Form GEN-222) – NCR Paper Format

- 1) The "Summons/Violator's Copy" of the Missouri Uniform Citation will remain with the prisoner's property until his/her release from police custody.
- 2) The "Abstract of Court Record" and "Information" copies of the Missouri Uniform Citation will be delivered by the District or Unit of arrest to the Circuit

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Attorney's Warrant Office by the Officer applying for the information enclosed in a Traffic Transmittal Envelope for State Court Traffic Summonses – Parking-Pedestrian Violation Notices (MPD Form GEN-315).

- 3) The "Police Department Copy" of the Missouri Uniform Citation, will be sent to the TRU in a Department Transmittal Envelope (MPD Form GEN-121).
- 4) The "Officer Record" copy will be retained by the Officer for his records.

b. Missouri Uniform Citation, Electronic Format

- 1) The "Violator's Copy" of the electronic Missouri Uniform Citation will remain with the prisoner's property until his/her release from police custody.
- 2) After supervisory approval, the "Abstract of Court Record" and "Information" copies of the electronic Missouri Uniform Citation will be printed from a standard printer and delivered by the District or Unit of arrest to the Circuit Attorney's Warrant Office by the Officer applying for the information enclosed in a Traffic Transmittal Envelope for State Court Traffic Summonses – Parking-Pedestrian Violation Notices (MPD Form GEN-315). (The same Transmittal Envelope can be used for both electronic format and MPD Form GEN-222.)

NOTE: The "Abstract of Court Record" and "Information" copies of electronic citations will be distributed in the same manner as the NCR paper-format citation (MPD Form GEN-222), since no electronic interface exists to automatically transmit data to the Circuit Courts.

- 3) No copies of the electronic Missouri Uniform Citation will be sent to the TRU.
- 4) The "Officer Record" copy will be maintained in the electronic database. It may either be printed from a standard printer and retained by the Officer or printed when needed.

4. Misdemeanor Traffic Violations Payable at State Traffic Violation Bureau

Generally, misdemeanor traffic violations are payable at the State Traffic Violation Bureau.

EXCEPTION 1: Violator involved in vehicle accident.

EXCEPTION 2: Violator booked and required to post bond on a separate misdemeanor violation.

EXCEPTION 3: Violator charged with DWI or Driving with Suspended or Revoked license.

D. NON-RESIDENT VIOLATORS (61.2.2)

1. Traffic Violations

- a. Non-Missouri residents charged with a city or state traffic violation will be processed in the same manner in which Missouri residents are processed, except that non-Missouri licenses are not taken in lieu of bail.

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- b. If the “release on street” provisions would apply to Missouri residents, the out of state resident will be released on his/her verbal agreement to comply with the terms of the citation by either:
 - 1) Promising to appear in court on the scheduled date; or
 - 2) Promising to arrange payment in person or by mail.
- c. Instructions for payment of State traffic violations by mail may be obtained by phoning the State Traffic Violation Bureau at the number listed on the back of the “Summons/Violator’s Copy” of the Missouri Uniform Citation.

2. Vehicle and Driver’s License Violations

- a. If a person has established residence in Missouri and has not obtained State vehicle and driver licenses, the Officer may warn the operator that failure to obtain the proper licenses may result in a Missouri Uniform Citation being issued, or the Officer may issue the violator a Missouri Uniform Citation. State Statute 301.100(3) requires a new resident of Missouri to apply for registration within 30 days.
- b. A resident of another State may operate, or allow the operation of, his/her vehicle in Missouri provided it is properly licensed according to laws governing the registration of vehicles in his State of residence, and provided his State of residence allows a resident of Missouri to operate, or allow the operation of, a vehicle properly licensed in Missouri in said State.
- c. A non-resident who is at least sixteen years of age and who has in his/her immediate possession a valid driver license issued in his/her home State or Country may operate motor vehicle in this State. This includes motorcycles, provided the operator is motorcycle qualified in his home state.
- d. A non-resident who is at least eighteen years of age and who has in immediate possession a valid chauffeur license issued in his/her home State or Country may operate a motor vehicle in this State as an operator or chauffeur.
- e. Non-resident military service personnel on active duty in Missouri and full time students may maintain out-of state vehicle and operator’s registration. If a Missouri Driver License is obtained, however, then the Missouri State vehicle license must also be obtained and vice versa.

E. TAKING DRIVER’S LICENSE IN LIEU OF BAIL (61.2.2)

1. Processing of Licenses

- a. The Officer must advise the violator of his/her option to be arrested and booked at the time of the stop, or to surrender his/her driver license for any charge listed in the Schedule of Traffic Violations (MPD Form GEN-39) that is marked “Seizure Required.” If the violator agrees to surrender his/her driver license, and the Officer has a reasonable belief he/she has established the identity of the driver, the violator’s license will be taken in lieu of bail. The Officer will mark in the designated box on the back of the “Summons/Violator’s Copy” of the Missouri Uniform Citation that the violator’s license has been taken in lieu of bail. This constitutes a receipt for the driver license. A learner permit or receipt indicating a person has obtained a driver license

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and is awaiting mailing of it may be accepted in lieu of bail; however, a notation will be made on the “Summons/Violator’s Copy” of the citation that a learner permit or receipt rather than a driver license was taken in lieu of bail. The violator will not be allowed to change his/her mind about surrendering his/her driver’s license instead of being booked, after the traffic stop is completed.

- b. NCR Paper Format (MPD Form GEN-222) – Each driver license accepted by an Officer in lieu of bail will be given to his/her supervisor, along with the “Abstract of Court Record” copy, the “Information” copy, and the “Police Department Copy” of each Missouri Uniform Citation issued.
 - c. Electronic Format – Each driver license accepted by an Officer in lieu of bail will be given to his/her supervisor along with the “Abstract of Court Record” copy printed from a standard printer. For City Court cases, the margin of the attached copy will be clearly marked with the notation “SUBMITTED ELECTRONICALLY.”
 - d. See instructions on the reverse side of the Traffic Transmittal Envelope for City Court Traffic Summonses (MPD Form GEN-316) and a Traffic Transmittal Envelope for State Court Traffic Summonses – Parking-Pedestrian Violation Notices (MPD Form GEN-315) for the processing of Missouri Uniform Citation and license by the Supervisor.
2. Custody of Licenses

The Clerk of the Court will retain custody of the licenses and will return them to the violators upon their appearance at the Traffic Violations Bureau or in court. Should a violator fail to appear, the Director of Revenue will be notified by the Clerk of the Court to prevent the issuance of a new or duplicate license. The “Summons/Violator’s Copy” of the Missouri Uniform Citation will serve as the license until case disposition.

3. Driving on a Received Missouri Uniform Citation

A motorist driving on a received Missouri Uniform Citation who commits a traffic violation will not be arrested and booked for the traffic violation unless extenuating circumstances exist. The Officer will indicate the Missouri Uniform Citation number and court date of the original citation on a Supplemental Information – Traffic Violation/State Infractions form (MPD Form GEN-182) and attach it to the “Abstract of Court Record” and “Information” copies of the most recently issued citation in order to alert the Court that another violation may be pending. If the court date has passed, no action will be taken unless the subject has an active bench warrant.

METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER

Date Issued: July 17, 2007 **Order No.:** Section VII of SO 7-01

Effective Date: July 17, 2007 **Expiration:** Indefinite

Reference:

CALEA Standards: 61.1.5

Cancelled Publications:

Subject: DRIVER’S LICENSES AND PERMITS

To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To provide Officers with information concerning the different drivers licenses and permits issued by the State of Missouri.

A. TYPES OF DRIVER’S LICENSES

1. Class A License – Commercial Drivers License (CDL)

- a. A person with a Class “A” License may operate any combination of vehicles with a Gross Combination Weight Rating (GCWR) or a registered gross weight of 26,001 or more pounds provided the Gross Vehicle Weight Rating (GVWR) of the vehicle(s) being towed is in excess of 10,000 pounds. Holders of a Class A license may also, with any appropriate endorsements, operate all vehicles within Class B and C.

Note: Certain types of vehicles such as tankers, passenger, vehicles hauling hazardous materials, motorcycles and double/triple trailers, will require an endorsement for all classes of licenses.

- b. Eligible age is 18 for CDL.
- c. Eligible age is 21 for a hazardous materials endorsement.

2. Class B License – Commercial Drivers License

A person with a Class B License may operate any single vehicle with a GVWR or registered gross weight of 26,001 or more pounds or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR. (Holders of a Class B license may also, with any appropriate endorsements, operate all vehicles within Class C.)

3. Class C License – Commercial Drivers License

A person with a Class C License may operate any single vehicle less than 26,001 pounds GVWR or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR. This group applies only to vehicles which are placarded for hazardous materials or are designed to transport 16 or more persons, including the operator. A holder of a Class A, B or C license may drive all vehicles which may be driven by a holder of a Class E or Class F license.

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4. Class E License – Chauffer License

- a. A Class E License is required when:
 - 1) Receiving pay for driving a vehicle transporting 14 or fewer passengers.
 - 2) Transporting property for pay or as part of your job (i.e. pizza or floral delivery).
 - 3) Regularly operating a motor vehicle for his/her employment which
 - a) Belongs to another person, AND
 - b) Is designed to carry freight and merchandise.
- b. Eligible age is 18.
- c. This class of license is not required for government employees to operate government vehicles.

5. Class F License – Operator License

- a. The Class F driver license is Missouri's basic driver license. You must have a Class F license to operate any motor vehicle other than one requiring the driver to have a Class A, B, C or E license.
- b. The holder of a Class F license may not drive any motorcycle without the proper endorsement.
- c. Eligible age is 18.

6. Intermediate License

- a. Eligible age is 16-18.
- b. May operate vehicles requiring only a Class F license.
- c. Restrictions
 - 1) Driver and ALL passengers must wear seat belts.
 - 2) Cannot operate a motor vehicle between the hours of 1:00 a.m. and 5:00 a.m. unless driving to or from:
 - a) A school activity,
 - b) A job,
 - c) A Department of Revenue defined emergency,
 - d) Or accompanied by a licensed driver at least 21 years old.

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7. CLASS M License – Motorcycle License

- a. The holder of a Class M license is qualified to operate motorcycles only and is prohibited from operating a car, bus, truck, or any other motor vehicle which requires a Class F or E license.
- b. If the Class M license has a “Y” in the restriction code section of the license, the driver may operate a two – or three-wheel motorcycle. If the driver is restricted to a three-wheel motorcycle, the restriction code “WY” will appear.
- c. Class M licenses may be obtained at age 16 or older.

8. Driver’s License Photo

If otherwise eligible, an applicant may receive a driver’s license or non-driver’s license without a photograph or digital image of the applicant’s full facial features except that such applicant’s photograph or digital image will be taken and maintained by the Department of Revenue and not printed on such driver’s license.

B. DRIVER’S LICENSE RESTRICTION CODES

1. The Department of Revenue has a number of driver license restriction codes which are identified on operator licenses with a code. A person operating a motor vehicle who does not comply with a restriction code will be charged with “Failure to Heed Restrictions on Driver’s License.” **(Revised City Code 17.52.270 H)**
2. Restriction Codes:
 - a. A – Corrective lenses
 - b. B – Outside rearview mirror
 - c. C – Daylight driving only
 - d. D – Auto transmission / power steering
 - e. E – Seat Cushion
 - f. F – Restricted to 45 MPH
 - g. G – 25 Mile radius
 - h. H – Special hand device
 - i. I – Intermediate License
 - j. J – Electrical turn signals
 - k. L – Non-airbrake CDL
 - l. M – Extension on foot device
 - m. N – Leg brace(s)
 - n. O – Foot operated emergency brake
 - o. P – Accelerator on steering column
 - p. R – Back cushion
 - q. T – Right outside mirror
 - r. U – Uncoded restriction
 - s. W – Three wheel motorcycle only
 - t. Y – Left outside mirror
 - u. Z – More than five restrictions
 - v. U011 - The person is not allowed to drive combination vehicles with a combined manufacturer's rating in excess of 26,000 pounds towing a unit(s) with a manufacturer's rating in excess of 10,000 pounds; OR a power unit with a manufacturer's rating in excess of 26,000 pounds. (Class A only)

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- w. U103 - The person is not allowed to drive combination vehicles with a combined manufacturer's rating in excess of 26,000 pounds towing a unit(s) with a manufacturer's rating in excess of 10,000 pounds. (Class A only)
- x. U104 -The person is not allowed to drive a power unit with a manufacturer's rating in excess of 26,000 pounds. (Class B only)

C. DRIVER'S LICENSE ENDORSEMENTS

- 1. Hazardous Materials – Driver may operate any vehicle required to be placarded by the federal government. Eligible age is 21 for a hazardous materials endorsement.
- 2. Passenger – Driver may operate any vehicle designed to carry 16 or more persons, including the driver.
- 3. Tank Vehicle – Driver pull any tank with a rated capacity of 1,000 gallons or more, which is designed to transport liquid or gaseous materials.
- 4. Double/Triple Trailer – Driver may operate any vehicle pulling two or more trailers (towed units) or any vehicle with double or triple saddle mount combinations. This includes, but is not limited to, all types of double/triple trailers, buses pulling canoe racks, etc.

D. SCHOOL BUS PERMIT

A separate permit is required for anyone transporting students in any school bus owned by, or under contract with, a public school or the State Board of Education.

- 1. Type 1 Permit
 - a. Minimum operator age of 21 years old.
 - b. For transporting 16 or more persons, including the driver.
- 2. Type 2 Permit
 - a. Minimum operator age of 21 years old.
 - b. For transporting 15 or fewer persons, including the driver.

E. INSTRUCTION PERMITS

- 1. Basic Vehicle Operator Instruction Permit
 - a. Eligible age is 15.
 - b. Licensed parent, grandparent or legal guardian must be in seat beside operators under 16 years of age.
 - c. Licensed operator over 21 years of age must be in seat beside operators 16 years old and older.
 - d. Accompanying driver must be licensed for vehicle being operated.

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- e. If parent, grandparent or legal guardian is disabled they may designate a maximum of two persons to accompany the driver-in-training for the purpose of providing behind-the-wheel instruction.

2. Motorcycle Instruction Permit

- a. Class F Permit with M Endorsement For Operators 15 ½ Years of Age (15 years and 182 days)
 - 1) Daylight motorcycle operation.
 - 2) Only within a 50 mile radius of home.
 - 3) No motorcycle larger than 250cc.
 - 4) No motorcycle passengers.
- b. Class F Permit with M Endorsement For Operators 16 Years of Age or Older
 - 1) Daylight motorcycle operation.
 - 2) No motorcycle passengers.

3. Commercial Driver's License Instruction Permit

- a. You must be at least 18 years old to apply for a temporary commercial driver license (CDL) permit.
 - b. A CDL instruction permit will allow the holder of a valid license to operate a commercial motor vehicle when:
 - 1) Accompanied by the holder of a CDL that is valid for the vehicle being operated, and who
 - 2) Occupies a seat beside the individual, or reasonably near the individual in the case of buses, for
 - 3) The purpose of giving instruction in driving the commercial motor vehicle.
4. The temporary driving permit, if valid, may be accepted by an Officer in lieu of bail or a traffic offense, as if it were a driver license. A notation will be made on the "Summons/Violator's Copy" of the Missouri Uniform Citation (MPD Form GEN-222, or Electronic Version) that a permit, rather than a license, was taken in lieu of bail.

F. RESTRICTED DRIVING PRIVILEGES (61.1.5.b)

1. General Information

Restricted Driving Privileges (RDP) are official documents issued by the Department of Revenue to persons whose driving privileges have otherwise been suspended.

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2. Restrictions
 - a. Drivers must have RDP documents in their possession at all times while operating a motor vehicle.
 - b. The RDP generally specifies an expiration date. If the expiration date is not specifically noted, a limitation will be indicated, such as, this order will terminate on the date of the disposition of the petition for trial De Novo. When an RDP is issued for an indefinite period of time (a case in which the suspension is being appealed, for instance), the computer printout lists the RDP duration as 364 days.
 - c. The RDP may limit the individual to operation of a specific vehicle.
 - d. Generally the RDP limits operation of a motor vehicle to and from the place of employment, and to and from alcohol rehabilitation/education class.
 - e. Persons found to be in violation of any of the restrictions listed above will be charged with "Driving While License Suspended," and processed accordingly. A photo copy of the RDP will be attached to the Court's copies of the Missouri Uniform Citation and the original RDP will be returned to the violator.
3. Seizure of RDP
 - a. An RDP will be seized only if the document has been altered or forged. In this instance, it will be forwarded by the seizing Officer to the DRIVERS LICENSE BUREAU, P.O. Box 200, Jefferson City, Missouri 65105. The violator will, in these instances, be charged with "Displayed Fictitious or Fraudulently Altered Drivers License" (**Revised City Code 17.52.270 F**). Additionally, if the alteration resulted in the operation of a motor vehicle in violation of one or more of the restrictions listed on the RDP, the violator will also be charged with "Driving While License Suspended."
 - b. A Supplemental Information Traffic Violations Form (GEN-182) will be prepared in those cases in which a report is not required to indicate the violator displayed an RDP.
4. Verification of RDP's
 - a. Since the volume of RDP's issued prohibits the Drivers License Bureau from sending Police Demand Orders when RDP's become invalid, Officers should contact the Drivers License Bureau, (573) 751-4493, for verification when the driver's status is in doubt. The number is operational from 9 a.m. – 5 p.m., Monday through Friday, excluding holidays. If the driver's status is in doubt, and confirmation cannot be obtained from the Driver's License Bureau, the suspected violator will be released without being charged, and a follow-up investigation will be conducted by the Officer at a later date, when feasible.
 - b. If a follow-up investigation reveals that the operator who presented the RDP had violated the restrictions of the RDP, or altered or forged the document, the violator will be charged according to instructions contained in paragraphs C3 above.

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5. RDP Presented in DWI Cases

If a suspect being charged with an alcohol related traffic offense has registered 0.08 or higher on the breath analysis test and presents an RDP instead of an operators or chauffeurs license, all administrative suspension/revocation procedures contained in the section III of this Order will apply, except the following:

- a. The RDP will not be seized or forwarded to the Department of Revenue, as the driver license normally would be; and
- b. A temporary permit will not be issued.

G. SUSPENDED/REVOKED LICENSES

See the section of the “Schedule of Traffic Violations,” Form GEN-39 relating to “Misdemeanor and Felony Traffic Violation” for complete details concerning the charging of persons with “Driving While License Suspended/Revoked.”

JM/trp

**METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER**

Date Issued: December 10, 2013 **Order No.:** Section VIII of SO 7-01

Effective Date: December 10, 2013 **Expiration:** Indefinite

Reference:

CALEA Standards: 61.1.13

Cancelled Publications: Section VIII of SO 7-01, issued November 11, 2010

Subject: MISSOURI STATE VEHICLE LICENSES AND PERMITS

To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To provide information about vehicle licenses and permits issued by the State of Missouri.

A. GENERAL INFORMATION

Passenger vehicles and trucks 12,000 lbs. gross weight or less are issued two license plates when registered in Missouri. One plate must be displayed on the front, the other on the rear of the vehicle. A single license plate is issued for motorcycles, motor tricycles, motor scooters, trailers, dealer's vehicles, and **commercial motor vehicles** over 12,000 lbs. gross weight. Trucks must display the single plate on the front of the vehicle.

B. TYPES OF PASSENGER VEHICLE LICENSE PLATES

1. Standard License Plates

- a. Standard plates are issued and renewed for a one- or two-year period. A sticker indicates the year of expiration.

See (Attachment #1) for information about license plate configurations and expiration/renewal dates.

See (Attachment #2) for information about the relationship between alpha characters and month of expiration.

- b. The buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may use the traded-in vehicle's license plates for a lawful period of not more than thirty (30) days. After that time, the buyer either must legally transfer the plates (an option only available if the new vehicle is in the same category as the old vehicle – e.g., passenger vs. commercial vehicle) or must apply for a new registration.

2. Personalized License Plates

- a. Personalized plates are issued and renewed for a one- or two-year period. A sticker indicates the year of expiration.

See (Attachment #1) for information about license plate configurations and expiration/renewal dates.

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- b. Personalized license plates may be purchased for any motor vehicle other than buses, dealers' vehicles, or commercial vehicles larger than 12,000 lbs. gross weight, by applying to a local Department of Revenue office. There is normally a six- to eight-week delay in obtaining personalized plates. During that delay, any standard plates or temporary permit issued to that vehicle must be displayed.

3. Special License Plates

- a. Disabled Veterans Plates – Any person serving in the armed forces of the United States, honorably discharged or separated, who has a severe service-connected disability, or who is receiving compensation from the Veterans' Administration for total service-connected disability, may apply for a special plate from the Department of Revenue having the words "DISABLED VETERAN" appearing on the plate. The applicant must annually supply proof of disability to the Department of Revenue. The applicant is limited to licensing one vehicle under this section. Commercial vehicles in excess of 18,000 lbs. gross weight are ineligible.

See (Attachment #1) for information about license plate configurations and expiration/renewal dates.

- b. Disabled Plates – Any person who is severely disabled, as defined by statute, may apply for plates under this section when the application is accompanied by a physician's statement. These plates display the international wheelchair accessibility symbol. Commercial vehicles 24,000 lbs. gross weight and under may also be licensed with disabled plates. Personalized disabled plates also are available.

See (Attachment #1) for information about license plate configurations and expiration/renewal dates.

NOTE: Additionally, the Department of Revenue issues permanent and temporary placards (measuring approximately 3" by 9") to permanently or temporarily disabled persons, or to service groups who transport disabled persons, which allow a vehicle to be parked in a disabled parking space. The placard is valid only when a physically disabled person is the occupant of the vehicle at the time of parking or when the physically disabled person is being dropped off or picked up. The placard should be placed on the rear view mirror or on the dashboard (driver's side) when the vehicle is parked. The temporary card is red; the permanent card is blue. Both display the international wheelchair accessibility symbol.

- c. Historic Motor Vehicle Plates – Any motor vehicle twenty-five (25) years old or older and owned solely as a collector's item and used for exhibition or educational purposes may be permanently registered for a set fee. Historic plates are painted white with black lettering with the following words appearing on the plate: HISTORIC MOTOR VEHICLE-STATE OF MISSOURI. Beginning January 1, 2009, historic plates will contain the same background design as standard plates, but contain the words HIST VEH along the lower border. Antique plates (over 25 years old) that are consistent with the model year of the vehicle also may be registered as historic plates. Inspection stickers are not required on vehicles bearing historic plates.

NOTE: Personalized historic plates expire each year.

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- d. Other Special Plates – The Missouri Department of Revenue offers a variety of other specialty license plates, including designs for colleges/universities, the military, and various organizations and charitable groups.

See (Attachment #1) for information about license plate configurations and expiration/renewal dates.

4. Motorcycle/Motortricycle License Plates

Motorcycle/motortricycle plates are issued and renewed for a one- or two-year period. A sticker indicates the year of expiration.

See (Attachment #1) for information about license plate configurations and expiration/renewal dates.

5. Trailer License Plates

See (Attachment #1) for information about license plate configurations and expiration/renewal dates.

- a. Regular Trailers – The Missouri Department of Revenue defines “regular trailers” as trailers attached to a towing vehicle with a ball or bumper hitch. Regular trailers can be registered for a one- or three-year period.

- b. Permanent Trailers – The Missouri Department of Revenue defines “permanent trailers” as trailers attached to a towing vehicle with a fifth wheel and kingpin assembly. Permanent trailers receive non-expiring registrations.

6. Dealer License Plates

- a. A dealer is any person, firm, corporation, association, agent, or sub-agent who sells or exchanges new, used or reconstructed motor vehicles or trailers, at a rate of four or more in a calendar year.
- b. Upon sales of a motor vehicle or trailer by a dealer, a buyer who has made application for registration by mail or otherwise may operate the vehicle with one properly attached numbered dealer plate issued by the dealer for a period of not more than thirty (30) days.
- c. Employees or officers of a dealership may operate any motor vehicle displaying dealer plates as long as the motor vehicle is owned by the dealer or manufacturer, and the vehicle is not hired or loaned to others that are not employed by the dealer or manufacturer. Vehicle regularly used as service or wrecker vehicles are prohibited from using dealer plates.
- d. All dealer plates are valid for one year and begin with the letter “D”; they can be distinguished from personalized plates beginning with “D” by the appearance of the word “Dealer” in the lower border of the plate.

NOTE: Officers encountering citizens using dealer plates illegally will charge the violator with “Operating a Motor Vehicle without Valid and Proper State Vehicle License (illegal use of dealer plates).” The Officer may confiscate the plates for return to the owner, at his/her discretion.

7. Driveaway License Plates

Driveaway license plates may be used by owners, corporate officers, or employees of the business to which the plates were issued.

C. TRUCK/COMMERCIAL MOTOR VEHICLE LICENSE PLATES

Commercial motor vehicles in excess of 12,000 lbs. are not normally issued, nor or required to display, a second license plate in the rear of the vehicle under Missouri law. However, effective August 28, 2013, an owner of a commercial motor vehicle registered in excess of 12,000 lbs. may request and be issued a second license plate for the rear of the vehicle that will bear a “2” marker.

See (Attachment #1) for information about license plate configurations and expiration/renewal dates.

D. TEMPORARY PERMIT (FOR MOTOR VEHICLE OR TRAILER)

1. A temporary permit which authorizes the operation of a motor vehicle or trailer by a buyer for not more than thirty (30) days may be purchased from the Department of Revenue or a motor vehicle dealer. **The Department of Revenue may extend the use of a temporary permit during the time period a title and registration are being obtained.**
2. A temporary permit may be purchased up to fifteen days from the date a motor vehicle or trailer is purchased because the buyer has no registered plates available for transfer.
 - a. A temporary permit is not transferable or renewable.
 - b. Commercial vehicles and trailers displaying a temporary permit may only be operated while empty except for mounted equipment. A temporary permit may also be purchased for mobile homes.
3. **The temporary permit is printed on weather-resistant white paper, will display the Missouri Department of Revenue seal in the center, and must be securely fastened to the back of a motor vehicle in a location provided for a license plate.**
4. Special Temporary Permits:
 - a. 72-Hour Trip Permits: Issued to truck drivers whose vehicles do not display apportioned truck plates. The permit is used for conveying loads across or into Missouri by drivers who rarely do business in the state when it is not economically feasible to purchase apportioned plates. This permit is carried by the driver and is presented to the Officer upon demand. This permit applies to large commercial vehicles with 3 or more axles or those which weigh 26,000 pounds **or more**.
 - b. **Salvage Vehicle Permit: Allow vehicles to be driven from a home, repair facility, or storage facility only to an authorized inspection site. Salvage vehicle permits are printed on weather-resistant white paper, will display the Missouri Department of Revenue seal in the center, the words “SALVAGE PERMIT,” and must be securely fastened to the back of a motor vehicle in a location provided for a license plate.**

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E. ENFORCEMENT OF LICENSE VIOLATIONS

1. General

Officers conducting vehicle checks will verify that both plates are displayed on vehicles requiring two licenses. Officers observing or suspecting a discrepancy should check the vehicle for theft, and the license and VIN through DOR. If a Missouri Uniform Citation is issued, a wanted check on the violator is required.

2. Vehicles Bearing Only One License Plate When Two License Plates are Required

- a. When a motor vehicle that requires two license plates displays only one plate and the missing plate has not been reported lost or stolen, the City charge of "Operating a Motor Vehicle without Valid and Proper State Vehicle License" applies. If, additionally, the plate being displayed is not issued to the vehicle, the operator of the vehicle will be required to remove the unauthorized plate. If the owner of the plate is not present, the Officer may seize the plate for return to the owner, if possible, or, to DOR.
- b. In instances when the license on the motor vehicle is not issued for the vehicle on which it is displayed and the license has been previously reported as lost or stolen, the Officer will conduct an investigation to determine how the driver came into possession of the license, in addition to addressing any traffic charges arising from the incident. The license will be seized by the Officer. The license will be held as evidence or held at the station awaiting the owner as appropriate.

3. Parking Violations (City Ordinance 17.52.290) **(61.1.13)**

A Parking Violation will be issued on the charge "Parked without Valid/Proper State Vehicle License" for the following violations:

- a. No plates;
- b. Expired plates;
- c. Plates not issued to that vehicle;
- d. One plate when two are required;
- e. Passenger plates on a truck;
- f. Recreational vehicle plates on a truck when prohibited;
- g. Cardboard, paper, etc., substituted for valid plate;
- h. 30 day permit expired/not valid; or
- i. Out of state license when investigation reveals that Missouri plate is required.

F. REPLACEMENT LICENSE PLATES/TABS

1. **Effective August 28, 2013**, persons reporting the loss, theft, **or** mutilation, of license tabs **may receive up to two (2) sets of replacement tabs per year at no cost by completing a notarized statement. A police report is not required.**
2. Persons **reporting the loss, theft, or mutilation of license plates will require a police report in order to obtain replacement plates.** A validated pink-colored receipt will be issued to be **kept** inside the **vehicle**. In addition, a Replacement Plate Permit will be issued and should be displayed in the back windshield, unless for a motorcycle, motortricycle, or trailer. When validated by a license office authorized by the Missouri Department of

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Revenue, the owner's receipt/Replacement Plate Permit **allows** the vehicle to be operated in Missouri.

3. For replacement **Dealer** plates, dealers must apply to **the Dealer Section of the Missouri Department of Revenue**.

DSD/jb
251-13-00128

**METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER**

Date Issued: November 11, 2010 **Order No.:** Section IX of SO 7-01

Effective Date: November 11, 2010 **Expiration:** Indefinite

Reference:

CALEA Standards: 61.1.5; 61.2.1; 61.2.3

Cancelled Publications: Section IX of SO 7-01 issued July 17, 2007

Subject: PROOF OF FINANCIAL RESPONSIBILITY (INSURANCE)

To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To provide information concerning Missouri requirements for drivers to have proof of insurance in their motor vehicle.

A. GENERAL INFORMATION (61.1.5.h)

All motor vehicle operators are required by City and State law to have an Insurance Identification Card or other proof of insurance/financial responsibility in the motor vehicle at all times. Officers may demand to see an operator's Insurance Card when his/her has lawfully stopped such operator. Officers are prohibited from stopping vehicles solely for the purpose of asking a motorist to display an Insurance Card.

B. TYPE OF INSURANCE / FINANCIAL RESPONSIBILITY IDENTIFICATION CARDS CARRIED BY MOTORISTS

1. Insurance Identification Cards are supplied to motorists by individual insurance companies and the Department of Revenue. Officers will encounter a wide variety of styles used by insurance companies to produce these cards. However, each card will include all of the following information.
 - a. The name and address of the insurer;
 - b. The name of the insured;
 - c. The insurance policy number;
 - d. The effective dates of the policy, including month, day, and year;
 - e. A description of the insured motor vehicle, including year and make or at least five digits of the vehicle identification number. The word "FLEET" will appear in the vehicle section if the policy covers five or more motor vehicles; and
 - f. The statement "THIS CARD MUST BE KEPT IN THE INSURED MOTOR VEHICLE FOR PRODUCTION UPON DEMAND" is prominently displayed on the card.

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2. A “Self-Insurance Identification Card” is issued to all persons/companies approved by the Department of Revenue to be financially responsible. These cards will be printed by the Drivers License Bureau and are acceptable proof of financial responsibility.

NOTE: Companies that operate a fleet of vehicles; i.e., Hertz, Laclede Gas, Bell Telephone, will likely use cards marked with the word “FLEET.”

3. A “Proof of Financial Responsibility Identification Card” is issued to drivers who file negotiable securities as proof of financial responsibility.

NOTE: Officers will rarely see this type of ID Card, as few individuals will choose this method.

4. If a motorist does not have an Insurance ID Card, an Officer will accept other insurance evidence in lieu of the card. This evidence can be in the form of:
 - a. A motor vehicle liability insurance policy; or
 - b. A motor vehicle liability insurance binder or receipt, which states the applicable coverage and is signed by the insurance agent.

C. MOTOR VEHICLES EXEMPT FROM DISPLAYING IDENTIFICATION CARDS

Certain motor vehicle operators will be exempt from the requirement to produce an Identification Card to law enforcement officers. The following types of motor vehicles are exempt:

1. Vehicles owned by the United States Government;
2. Vehicles owned by the State of Missouri;
3. Vehicles owned by any political subdivision or municipality in this state;
4. Motor vehicles that are regulated by the Missouri Department of Transportation or the Public Service Commission;
5. Motor vehicles whose operations are regulated by the ordinances of the municipalities served; (i.e., cab companies); or
6. **Out-of-state registered commercial motor vehicles (i.e., vehicles with a gross vehicle weight rating greater than 26,000 lbs., or a vehicle designed to transport 16 or more passengers including the driver).**

D. CITING VIOLATORS OF THE FINANCIAL RESPONSIBILITY ORDINANCE (61.1.5.h)

1. Persons observed operating a motor vehicle without proof of financial responsibility will be issued a Missouri Uniform Citation (Traffic Summons) for “Failing to Display Proof of Insurance or Financial Responsibility” (**Revised City Code 17.53.020**) or “Operating Motor Vehicle without Maintaining Financial Responsibility” (**Revised City Code 17.53.010**). Charge Code 96100 applies to both charges.
2. The driver’s license will be taken in lieu of bail and violators may be released on a citation.

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3. Drivers will be required to appear in Court and may not be directed to the Traffic Violation Bureau for fine payment.
- E. VEHICLE INVOLVED IN AN ACCIDENT AND A WRITTEN REPORT PREPARED (61.2.1)
(61.2.3.d)

1. State law requires a written report when one party in **a reportable** accident* does not have liability insurance (**RSMo 303.040**). The accident report will provide the formal notification to the Department of Revenue by the Highway Patrol using information recorded on the Missouri Uniform Accident Report. See SO 9-02 "Missouri Uniform Accident Report" for additional information on the preparation of accident reports.

****One in which a person is killed or injured, or in which there was damage to property of any one person in excess of \$500.00.***

2. Officers will indicate whether the driver of a vehicle displayed a valid Insurance Card in the Driver's Information **segments of Sections 4 and 5 of the Missouri Uniform Accident Report**:
3. If a valid ID Card is displayed, **the box marked "YES" will be checked in the "Proof of Insurance" field.**
4. If no valid ID Card is displayed, **the box marked "NO" will be checked in the "Proof of Insurance" field.**

NOTE: If a driver states he/she has insurance, the name of the company should be entered **into the "Insurance Company" field.**

5. **The box marked "NOT REQUIRED" in the "Proof of Insurance" field will be used only when the vehicle either is government-owned or is a commercial vehicle (i.e., a vehicle with a gross vehicle weight rating greater than 26,000 lbs., or a vehicle designed to transport 16 or more passengers including the driver) registered out-of-state.**
6. What is thought to be a valid ID Card displayed at the scene of an accident, but is later found to be invalid, will be reported to the Department of Revenue by the involved citizens using the "Missouri Motor Vehicle Accident Report" (**DOR Form 1140**), issued by the Department of Revenue and available **both on the DOR website (<http://dor.mo.gov/forms/>)** and at the locations listed on the back of the "Motor Vehicle Accident Referral Card" (MPD Form GEN-152).

DI/jb

**METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER**

Date Issued: November 11, 2010 **Order No.:** Section X of SO 7-01

Effective Date: November 11, 2010 **Expiration:** Indefinite

Reference:

CALEA Standards: 61.1.4; 61.1.5

Cancelled Publications: Section X of SO 7-01 issued July 17, 2007

Subject: MISCELLANEOUS TRAFFIC VIOLATIONS

To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To provide procedures for the completion of the Missouri Uniform Citation for miscellaneous traffic offenses.

A. EQUIPMENT VIOLATIONS (61.1.4.d) (61.1.5.f)

When an Officer issues a Missouri Uniform Citation for an equipment violation, the violator will receive a notice from the City Court by mail some days later explaining the method for resolving the violation. Violators should be informed by the Officer to have the defect corrected before court appearance and to show proof of correction to the Courts.

B. BICYCLE VIOLATIONS (61.1.5.l)

1. Violation by persons operating bicycles will be recorded on the Missouri Citation Form. A list of bicycle violation is contained the “Schedule of Traffic Violation” (MPD Form GEN-39).
2. See Section I of this Order for age restrictions on issuing tickets.

C. WRECKER (TOW TRUCK) VIOLATIONS (61.1.5.g)

1. Definition

- a. For purposes of this Section, what is commonly known as a tow truck will be referred to as a “wrecker.”
- b. The Revised Code of the City of St. Louis describes a “wrecker” as a mechanically propelled vehicle equipped with a boom and winch or any other mechanical device used to raise, hoist and tow, transport, convey or move a motor vehicle from one location to another location or destination by the owner or someone in his/her behalf.

2. License Requirements

- a. Section 8.110.020 of the Revised City Code states it will be unlawful for any person to operate a wrecker within the City unless such person first obtain license from the License Collector. Application for a license will be made upon a form furnished by the License Collector. The original or a copy of the license must be in the possession of the vehicle operator at all times. Windshield stickers are no longer required.

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b. Any wrecker operating within the City under the following conditions must have a wrecker license:

- 1) Operating from a place of business located within the City;
- 2) Towing from point to point within the City on a regular basis; or
- 3) Towing under regular contractual arrangements into or out of the City, but not located in the City.

NOTE: A reciprocity agreement with the County exists whereby wreckers licensed in the City may operate in the County and vice versa. Wreckers licensed in the County and operating in the City are subject to all requirements, if the wrecker is owned/used by a City business or a City Tow License is required. A County License is not honored in this instance.

c. Any wrecker operating under the following conditions need not have a city wrecker license:

- 1) Towing through the City from and to points outside the City.
- 2) Towing into or out of the City on a minimal basis and not operating out of a place of business located within the City.
- 3) Wreckers licensed in the County and operating from a place of business in the County.

NOTE: Officers will exercise discretion as to whether a wrecker, not located in the City, towing into or out of the City is doing sufficient business to be cited.

d. All wreckers operated by the St. Louis Police Department are exempt from the provisions of Chapter 8.110 of the Revised Code.

3. Wrecker Violations Require Court Appearance (61.1.4.b) (61.1.4.c)

Wrecker violations, licensing or otherwise, require the violator to appear in Court and the Missouri Uniform Citation is to be prepared accordingly. The "Schedule of Traffic Violations" (MPD Form GEN-39) contains a listing of wrecker violations and the corresponding Ordinance numbers.

Note: A tow truck operator may not use a Drive-away license plate while transporting wrecked, disabled, abandoned, improperly parked or burned vehicles.

4. Schedule of Prices

Wrecker operators must supply the City License Collector's Office with a schedule of maximum prices to be charged for the towing and storage of disabled vehicles. One copy of the schedule will be on file with the Police Department (Command Post) and a copy will be carried in the wrecker. It is a violation for the operator of the wrecker to charge more than the price listed on the schedule. The schedule is kept at the Command Post so that an Officer can check 24 hours a day to determine if a wrecker driver is exceeding the price set previously.

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NOTE: Neither the City nor the Department sets prices for wreckers. The purpose of this Ordinance is to prevent wrecker operators from taking advantage of motorists in distress.

D. MOTORCYCLES AND MOPEDS (61.1.5)

1. Definitions by City Ordinance

- a. Motorcycle: a motor vehicle operated on two wheels.
- b. Motor-Tricycle: a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motor-tricycle will not be included in the definition of all-terrain vehicle.
- c. Motorized Bicycle (Moped): any two or three wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground.
- d. Safety Helmet: Must comply with DOT certification and display the DOT decal on the inside or outside of the helmet.

2. Licensing Requirements

a. Driver's License

- 1) Motorcycles and Motor-tricycles: a person may operate a motorcycle if he has a valid Class M endorsement or a Class M driver's license or motorcycle permit. All of the criteria applicable to motorcycles also apply to motor tricycles. Those with a "W" restriction may operate a motor tricycle only.
- 2) Mopeds: a valid operator or chauffeur license is all that is required for operation of a moped.

b. State Vehicle License

- 1) Motorcycles and Motor-tricycles: a valid State vehicle license (and, therefore, a Missouri Vehicle Inspection) is required for the operation of a motorcycle or a motor-tricycle.
- 2) Mopeds: no State vehicle license or no inspection requirement.

c. Safety Helmet (61.1.5.d)

- 1) Motorcycle: City Ordinance requires both driver and passenger to wear a safety helmet.
- 2) Motortricycle: City Ordinance requires both driver and passenger to wear a safety helmet.
- 3) Moped: safety helmet is not required.

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NOTE: Mopeds are not allowed to be operated on any sidewalk, or on any public thoroughfare within the state which has been designated part of the Federal interstate highway system.

- 4) The provisions of these laws apply to all persons who operate or who are passengers on any motorcycle, motor-tricycle, or moped, including all members of the Department as well as businesses and corporations who rent, lend, or lease any such vehicle to another.

E. STATE SAFETY INSPECTION

1. Missouri law requires all motor vehicles to pass a vehicle safety inspection performed by an authorized inspection station.
2. Effective January 1, 2010, motor vehicles are exempt from a safety inspection for the first five years following the year of manufacture, regardless of whether or not a change of ownership occurs during this timeframe.
3. Exemptions from the safety inspection requirement are displayed in (Attachment #3).

NOTE: With the exception of vehicles bearing historic license plates, vehicle model years before 1996, or diesel-powered vehicle model years before 1997, an emissions inspection is required for vehicles registered in counties where emissions testing is mandated (St. Louis City, St. Louis County, St. Charles County, Franklin County, or Jefferson County), unless the vehicle has been granted a waiver/exemption by the Department of Revenue.

DI/jb

**METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER**

Date Issued: November 11, 2010 **Order No.:** Section XI of SO 7-01

Effective Date: November 11, 2010 **Expiration:** Indefinite

Reference:

CALEA Standards: 61.1.5; 82.3.4

Cancelled Publications: Section XI of SO 7-01 issued June 4, 2008

Subject: ADMINISTRATIVE PROCEDURES

To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To provide procedures for requisitioning, **correcting**, and voiding a Missouri Uniform Citation (**traffic summons**) or a Parking Violation Notice (**parking ticket**), along with related issues.

A. CORRECTION OF ERRORS

1. Missouri Uniform Citation (Traffic Summons)

When a Missouri Uniform Citation is returned because of errors, the following steps will be taken:

- a. The two court copies, the Department copy, and the Officer's copy must be modified to reflect the correct information.
- b. Corresponding changes must be made on any related forms, such as an I/LEADS report, bond form, etc.
- c. If the correction involves a change in court date, court time, or court number, the violator must be notified. The violator should be contacted in person if he/she resides in the issuing Officer's District of assignment. Notification by telephone or mail is permissible if the Officer is unable to make personal contact at the violator's residence or if the violator resides outside of the Officer's District. A notation will be made on the Officer's copy of the Missouri Uniform Citation indicating the date and time the violator was notified of the change. If the notification was made by mail, a copy of the letter will be retained by the Officer with his/her copy of the citation.
- d. If the required change does not directly affect the violator, such as an incorrect Missouri charge code number, the violator need not be notified.

e. Missouri Uniform Citations for State Traffic Violations:

- 1) **The Sergeant is responsible for ensuring that the corrected Department copy of the Missouri Uniform Citation is sent to the Telephone Reporting Unit (TRU) in a Department Transmittal Envelope (MPD Form GEN-121) within 24 hours for entry into the electronic Mobile Ticketing system.**
- 2) **The Sergeant also is responsible for ensuring that the corrected State copy of the Missouri Uniform Citation is sent to the Office of the Circuit Clerk**

in a Traffic Transmittal Envelope for State Court Traffic Summonses – Parking-Pedestrian Violation Notices (MPD Form GEN-315), checking the appropriate box for “State Court Traffic Summonses” on the envelope.

- 3) If the Officer who made the error is off-duty, another Officer will be directed to make the correction. The issuing Officer will be notified of the correction upon his/her return to duty.

f. Missouri Uniform Citations for City Traffic Violations:

- 1) The Sergeant is responsible for ensuring that the corrected City copy of the Missouri Uniform Citation is sent to the City Court Clerk in a Traffic Transmittal Envelope for City Court Traffic Summonses (MPD Form GEN-316) within 24 hours.
- 2) If the Officer who made the error is off-duty, another Officer will be directed to make the correction. The issuing Officer will be notified of the correction upon his/her return to duty.

2. Parking Violation Notice (Parking Ticket)

When a Parking Violation Notice is returned because of errors, the following steps will be taken:

- a. Changes must be made to all copies of the Parking Violation Notice and to any related forms, such as an I/LEADS report, bond form, etc.
- b. The Sergeant is responsible for ensuring that the Parking Violation Notice is properly corrected and promptly returned to the TRU in a Traffic Transmittal Envelope for State Court Traffic Summonses – Parking-Pedestrian Violation Notices (MPD Form GEN-315), checking the appropriate box for “Parking-Pedestrian Violation Notices” on the envelope. The TRU will hold the envelope until it is delivered to the Traffic Violation Bureau by courier.
- c. If the Officer who made the error is off-duty, another Officer will be directed to make the correction. The issuing Officer will be notified of the correction upon his/her return to duty.

B. REQUISITIONING AND DESTRUCTION OF MISSOURI UNIFORM CITATION AND PARKING VIOLATION NOTICE BOOKS

1. Issuance of New Missouri Uniform Citation and Parking Violation Notice Books (82.3.4.a) (82.3.4.b)

- a. A District Officer will obtain Missouri Uniform Citation and Parking Violation Notice books from the Area Desk Officer, **signing the appropriate distribution control log.**
- b. Officers assigned to Units which do not routinely issue Missouri Uniform Citations or Parking Violation Notices will obtain them as needed in a manner prescribed by their Commanding Officers. Commanders of specialized units will ensure an adequate system for accounting and tracking is in place.

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2. New Missouri Uniform Citation Books (82.3.4.a) (82.3.4.b)

Upon receipt of a new book, the Officer will complete the first page (pink sheet) and give that page to his/her Sergeant, who will retain it for purposes of tracking and auditing.

3. Completed Missouri Uniform Citation Books (82.3.4.b)

Once all citations in a book have been used, the Officer will complete the last page (yellow sheet) and give that page to his/her Sergeant. The Sergeant will initial the yellow sheet and place it in the citation lockbox located at each Area station. The Sergeant will initial the empty book and the Officer will present the empty book to the Area Desk Officer to receive one new book. The yellow sheets will be removed from the lockbox on a daily basis and retained by the Station Administrative Aide.

4. Damaged Missouri Uniform Citation and Parking Violation Notice Books (82.3.4.b)

a. In the event a book is damaged to the extent that the traffic citations/parking violation notices are unusable, the Officer will present the book to his/her Watch Commander.

b. The Watch Commander will void any unused, damaged traffic citations/parking violation notices and will initial the damaged book.

c. The Officer will present the initialed, damaged book to the Area Desk Officer for issuance of a new book. The Area Desk Officer will retain the damaged book.

5. Lost Missouri Uniform Citation and Parking Violation Notice Books (82.3.4.b)

a. In the event a book is lost, the Officer will prepare a memorandum to his/her Watch Commander documenting the series of traffic citation/parking violation notice numbers of the lost book (first and last citation/notice numbers in the book).

b. The Watch Commander will submit a work order to the IT Help Desk requesting a search of the series of traffic citation/parking violation notice numbers from the lost book to determine which citations/notices were not issued by the Officer.

c. Once IT provides the Watch Commander with the results of the search, the Watch Commander will prepare a void for all non-issued traffic citations/parking violation notices in the lost book. He/she will send an email message to the Station Administrative Aide, indicating that the search has been completed and the lost citations/notices were properly voided.

d. The Station Administrative Aide will direct the Area Desk Officer to provide the Officer with a replacement book.

6. Process for Transfers and Promotions (82.3.4.b)

a. Officers who are transferred to another Bureau or permanent administrative assignment or who are promoted to the rank of Lieutenant will return their Missouri Uniform Citation and Parking Violation Notice books to the District/Division from which they are transferring, after first removing the Officer's copies of citations already issued.

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- b. The District/Division Commander will prepare a "Request to Void" form for each book of either type, list all of the Missouri Uniform Citation and Parking Violation Notice numbers, check the "DESTROYED" section, and forward the form and the books to the Supply Division with a memorandum advising of the circumstances.

C. VOIDING A MISSOURI UNIFORM CITATION OR PARKING VIOLATION NOTICE

1. City Traffic Violations

- a. The Sergeant will complete the **"Request to Void Parking-Pedestrian Notice or Uniform Traffic Ticket"** form (Form CC-20-62) with the proper reason marked for voiding. The void form must be approved by a Lieutenant or above. If the form is not filled out correctly or has not been approved by a Lieutenant or above, the ticket will not be voided and it may be returned to the requesting Officer.
- b. **Two (2) copies of the "Request to Void Parking-Pedestrian Notice or Uniform Traffic Ticket" form (Form CC-20-62) and all copies of the Missouri Uniform Citation will be sent to the TRU in a Department Transmittal Envelope (MPD Form GEN-121) for tracking.**
- c. The "REASON" section of the **"Request to Void Parking-Pedestrian Notice or Uniform Traffic Ticket"** form (Form CC-20-62) will be completed using the following information for guidance:
 - 1) 01 Error, Clerical: For use when an Officer makes a clerical mistake.
 - 2) 04 Signs Confusing, Illegible, Inadequate: For use when the physical condition, placement, or conflicting nature of traffic control signs, including curb markings, would confuse a reasonable person.

NOTE: When this condition exists, the Traffic Division of the Street Department will be notified and the traffic employee's name indicated on the void.
 - 3) 06 Distance Estimated Incorrect: For use when the Officer's estimate of distance was incorrect (e.g., judging the distance between the vehicle and a fire hydrant).
 - 4) 07 Restriction Not In Effect: For use when an Officer erroneously issued a Missouri Uniform Citation or Parking Violation Notice during a time period for which parking was not restricted.
 - 5) 08 Replaced by Uniform Traffic Ticket (Missouri Uniform Citation): For use when a Parking Violation Notice was replaced by a Missouri Uniform Citation. The citation number should be noted on the **"Request to Void Parking-Pedestrian Notice or Uniform Traffic Ticket"** form (Form CC-20-62), Line 08.
 - 6) 09 Defective: For use when there was a defect in the Officer's book, such as omission of numbers, numbers out of a sequence, pages missing, poor printing, one page of a multi-page form missing, or a citation or parking violation notice was stained or mutilated beyond use.

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- 7) 10 Called to Duty: For use when the Officer became involved in an emergency situation or received an emergency assignment, and the citation or parking violation notice was not completed.
- 8) 11 Lost: For use when voiding lost or stolen books.
- 9) 21 Emergency: For use when illegal parking was required due to an emergency situation, such as carrying an injured person to a doctor, a priest/minister, pharmacist, etc., or attending to the stricken person.
- 10) 22 Official Business: For use when denoting that an Officer or civilian was acting as a court witness; any action connected with issuance or service of a warrant by Officer or civilian; police or other official business; or duty being performed for or by a representative of a government agency whether Officer or citizen.
- 11) 23 Courtesy: This box may not be checked by the Police Department.
- 12) 41 Defective Meter: This box may not be checked by the Police Department.
- 13) 51 Left Police Force: For use when voiding citation or parking violation notice books issued to Officers who have resigned, retired, died, or been dismissed.
- 14) 61 Commercial or Government Vehicle: For use when indicating emergency parking; or routine parking, delivery, pickup, or service by a commercial vehicle in accordance with **RC 17.24.070 (q)**.
- 15) 71 Obscured Vision: For use when vision is obscured, such as a traffic sign observed by a light post.

NOTE: When this condition exists, the Traffic Division of the Street Department will be notified and the traffic employee's name indicated on the void.
- 16) 81 Avoid Accident: For use when a motorist took evasive action to avoid any accident, such as a motorist swerved to avoid hitting a pedestrian.
- 17) 99 Other – Specify: For use in situations not covered in any of the categories listed above; however, a mere checkmark in the box is unacceptable. A specific description must be provided on the lines supplied.

2. State **Traffic** Violations

- a. The **“Request to Void Parking-Pedestrian Notice or Uniform Traffic Ticket” form (Form CC-20-62)** will be used to void Missouri Uniform Citations in State traffic violation cases as long as the first two copies of the Missouri Uniform Citation have not been presented to the Circuit Attorney. Once the Circuit Attorney has issued an Information, it is necessary for the Officer to request that the information be withdrawn. The **“Request to Void Parking-Pedestrian Notice or Uniform Traffic Ticket” form (Form CC-20-62)** and all copies of the Missouri Uniform Citation will be delivered to the Office of the Circuit Court Clerk.

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- b. **Two (2) copies of the “Request to Void Parking-Pedestrian Notice or Uniform Traffic Ticket” form (Form CC-20-62) and all copies of the Missouri Uniform Citation will be sent to the TRU in a Department Transmittal Envelope (MPD Form GEN-121) for tracking and entry into the electronic Mobile Ticketing system.**

3. City and State Traffic Citations in the Electronic **Mobile Ticketing** Application

- a. City and State Traffic Citations that have not been approved by a Supervisor may be voided within the application by a Lieutenant or above.

NOTE: Citations that are voided prior to approval should not be approved in the electronic application. Any subsequent approval after voiding will nullify the void.

- b. City Traffic Citations that have been approved and electronically transmitted to the City Court will be voided by:

- 1) Completing a **“Request to Void Parking-Pedestrian Notice or Uniform Traffic Ticket” form (Form CC-20-62);**
- 2) Attaching the “Abstract of Court Record” copy printed from a standard printer, and;
- 3) Following the procedures established in Section C-1 above.

NOTE: Lieutenant will make a notation that the citation was voided in the “Additional Facts” area of the “Notes” screen located in the electronic application.

- c. State Traffic Citations that have been approved by a Supervisor in the electronic application will be voided using the same procedures established in Section C-2 above.

4. Parking Violations

- a. The Sergeant will complete the **“Request to Void Parking-Pedestrian Notice or Uniform Traffic Ticket” form (Form CC-20-62)** with the proper reason marked for voiding. The void form must be approved by a Lieutenant or above. If the form is not filled out correctly or has not been approved by a Lieutenant or above, the Parking Violation Notice will not be voided and it will be returned to the requesting Officer. The Parking Violation Notice must be enclosed with the **“Request to Void Parking-Pedestrian Notice or Uniform Traffic Ticket” form (Form CC-20-62).**
- b. **Two (2) copies** of the **“Request to Void Parking-Pedestrian Notice or Uniform Traffic Ticket” form (Form CC-20-62)** and all copies **of the Parking Violation Notice** will be forwarded to the TRU in a Department Transmittal Envelope (**MPD Form GEN-121**) **for tracking.**

D. REIMBURSEMENT FOR LOST DRIVER’S LICENSES

1. Any Department member who loses a citizen’s driver’s license while in his/her custody will immediately report that fact through channels to his/her Unit Commander.
2. Any citizen reporting a lost driver’s license will be directed to the Commander of the Officer who wrote the citation.

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3. Upon becoming aware of a lost driver's license, the Commander will investigate to determine which agency had custody of the license at the time of loss (e.g., Police Department, Courts, etc.).
4. If determined that the license was lost while in the custody of the Courts or prosecutor, the Commander will refer the person with the lost license to seek reimbursement through the appropriate agency.
5. If determined that the license was lost while in the custody of this Department, or if it cannot be determined where the license was lost, the Commander will have the person named in the license complete an "Application for Reimbursement – Lost Driver's License" (MPD Form GEN-344). The amount of reimbursement will be calculated as follows:
 - a. If the person has already replaced the lost license, the amount of reimbursement will be for the amount paid, whether obtained at a Department of Revenue branch or from a private fee station that contracts with the Department of Revenue. The person will be required to furnish the original copy of the paid receipt for the driver's license.
 - b. If the person has not yet applied for a replacement license, the person will be informed that the Department will reimburse for the amount of the replacement license charged at a Department of Revenue license office (non-fee basis). The person will be directed to obtain a replacement license and submit the original paid receipt to the commander.
6. The Commander will submit the following items through channels to the Purchasing Office:
 - a. Properly completed "Departmental Requisition" (MPD Form GEN-27) for the cost of the replacement license (specify "Bureau 100" for account number, with name and address of individual to be reimbursed in lower left section of the requisition);
 - b. "Application for Reimbursement – Lost Driver's License" (MPD Form GEN-344); and
 - c. Paid receipt (original), reflecting the price paid for the replacement license.
7. The Purchasing Division will issue a purchase order for reimbursement to the complainant for the cost of the replacement license.
8. Upon presentation of the documents outlined in Paragraph 6 of this Section, the Budget and Finance Division will issue a check to the complainant.

NOTE: The amount expended for lost driver licenses will be taken from the Legal and Damage Claims portion of the budget for the Board of Police Commissioners, Bureau #100.

E. UPDATING OF INFORMATION CONCERNING NEW TRAFFIC LAWS (61.1.5.j)

The Planning and **Research** Division will regularly check legislation to determine if any new Statutes or City Ordinances pertaining to traffic laws have been enacted. That Division will draft a timely directive for issuance by the Chief of Police containing details of any new traffic law to include information necessary for enforcement. The new traffic violation(s) will be permanently included by Planning and **Research** in a supplement to the "Schedule of Traffic Violations" (MPD Form GEN-39).

DI/jb

**METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER**

Date Issued: November 11, 2010 **Order No.:** Section XII of SO 7-01

Effective Date: November 11, 2010 **Expiration:** Indefinite

Reference:

CALEA Standards: 61.1.9

Cancelled Publications: Section XII of SO 7-01, issued July 17, 2007

Subject: SPEED MEASURING DEVICES

To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To provide procedures for use of Speed Measuring Devices by members of this Department.

A. EQUIPMENT SPECIFICATIONS (61.1.9.a)

The Department authorizes the use of stationary Doppler radar operating on the “X,” “K” and “Ka” bands of the radio spectrum. All radar units must be equipped with software designed to perform a complete self-test including verification of crystal accuracy; any detected malfunction must result in some form of “FAIL” indication. Each radar unit must provide a minimum range of one mile on a straight, open two-lane roadway with an average size vehicle, displaying the target speed on an LCD display. Each unit will have a Minimum of two tuning forks, certified by the manufacturer, for field-testing the unit by its operator.

B. ROLE OF THE OFFICER

1. The role of the Officer is to enhance safety through the proper use of accurate speed measuring methods and devices. **(61.1.9.b)**
2. Safety of the public and employees will be the primary consideration at all times when speed-measuring operations are conducted.
3. The use of speed measuring devices will be concentrated in high accident locations where speed is a factor, where speed limit violations are prevalent, where speed is an indicator of aggressive driving, or in response to citizen complaints concerning speeding motorists.
4. The accuracy and integrity of speed measuring methods and devise used by the Officer will not be compromised by any Officer.
5. Officers using speed-measuring devices for enforcement purposes will, in addition to properly using and documenting information regarding the speed device, note other circumstances or evidence that is indicative of a speeding violation, e.g., suspect vehicle was regularly passing other traffic, squealing tires when rounding curves, narrowly missed or was involved in a collision, made improper passes, etc.
6. The audio feature on the Radar unit will be used, if present.
7. Do not attempt to pace a vehicle using a hand-held Radar unit.

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8. Do not drive a police vehicle while using a hand held Radar unit.
9. Do not use Stationary Radar as Moving Radar.
10. Use only the tuning fork(s) supplied by the manufacturer for that particular Radar unit.
11. The Officer who operates the Radar should also be the Officer who issues the speeding citation.

C. EXPOSURE CONSIDERATIONS (61.1.9.b)

1. Radar units fall within all applicable federal safety guidelines, and concerns that microwave radiation emitted by traffic radar may be unsafe have not been verified. However, the following steps will be taken to minimize exposure to the low-level radiation produced:
2. DO NOT point the antenna towards you or other persons within arms reach while the unit is transmitting.
3. Position antennas so the beam is pointed out of the patrol car, not at persons or metal surfaces inside the vehicle.
4. Turn the radar unit off when not in use, and use the “standby” mode when not actually measuring the speed of a target vehicle or testing the unit.

D. RADAR UNIT CARE AND MAINTENANCE (61.1.9.c)

1. Radar units, though durable, will not be subjected to extremes of temperature, humidity or vibration. While utilizing radar equipment, operators must ensure that the units will not be exposed to liquids. All radar units will be stored and/or transported in their original carrying cases.
2. Damaged or inoperative units, including carrying cases, will be taken to Radio Repair or original equipment supplier for repair or replacement. The Radio Repair can advise if any necessary work is to be done by them or the original supplier.
3. To ensure that the radar readings are admissible in court, the Officer will: **(61.1.9.d)**
 - a. Perform two tuning fork tests before and after enforcement actions;
 - 1) Tuning fork tests provide a known, independent, and external signal source to verify the proper functioning of the Stalker radar in its various modes of operation. Officers will test their Stalker radar units at the beginning of their daily shift. If speeding citations are issued based on readings from the radar unit during the shift, Officers will conduct tuning fork tests at the end of their shift.
 - 2) For stationary operation, Officers will strike the tuning forks and hold them in front of the antenna one at a time.
 - 3) For moving operation, Officer will strike the tuning forks and hold them in front of the antenna simultaneously.

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- 4) Tuning forks tests performed at the beginning of a shift will be conducted of all combinations of antennas and operational modes, e.g. fastest, same directions, and opposite direction.
 - 5) Tuning fork tests performed at the end of a shift will be conducted of all combinations of antennas and operational modes that were used during the shift as the basis for issuance of a speeding citation.
 - 6) Yearly the tuning fork will be tested, certified and calibrated by a certified Radio Repair technician.
 - 7) The assigned watch commander will ensure the completion of the Radar and Tuning Fork Certification of Accuracy which will be maintained in the Traffic **Safety Section** files. (61.1.9.e)
4. Visually identify a specific target vehicle and then utilize the radar unit to confirm your opinion that the vehicle was exceeding the posted speed limit before taking any enforcement action.
 5. Verify the ground speed of the police vehicle with the radar unit when using the radar unit in the moving mode of operation.
 6. Should there be a unit malfunction, cease operations, return the unit to your current Unit, and notify the on-duty supervisor of the malfunction. The supervisor will ensure that any necessary “down forms” are prepared and arrangements are made for repairs.
 7. The tests will be performed each time a radar location is established and before it is terminated.

E. OPERATOR TRAINING (61.1.9.f)

1. Before using radar for speed enforcement, an Officer will successfully complete the required training course. A certified radar Officer will conduct training. The Officer must pass a written test following the training.
2. After Officers complete their training, they are to heed to the guidelines outlined in the Radar Training manual in regards to the operation procedures, proper care, and maintenance of the units. Officers are to ensure that their radar unit is in proper working order. If the unit exhibits any type of malfunction, the Officer will at his/her earliest convenience, respond to Radio Repair and have the unit repaired.
3. Under supervision, the Officer in training will demonstrate an ability to properly:
 - a. Test the accuracy of the instrument.
 - b. Test and certify tuning forks.
 - c. Operate the radar in moving, stationary, and same direction modes.
 - d. Observe safety practices.
 - e. Recognize malfunctions.

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F. CERTIFICATION (61.1.9.f)

1. New and repaired radar units (consisting of the counting unit and all antennas if not a hand-held instrument) and tuning forks will be inspected and certified by a qualified Radio Repair Technician.
2. Officers will certify their radar units and tuning forks annually and upon being assigned a new or different radar unit.
3. Officers will certify repaired radar units or adjusted tuning forks before placing them back into service. The Traffic Safety Section Aide will maintain records and notify Officers when certification is required.
 - a. With the tuning fork near room temperature, the Officer will strike the tines of the fork and hold the end of the handle directly against the digital frequency counters at the designated location.
 - b. Tuning fork certification will be performed under the direction of the assigned watch commander on a semi-annual basis. The assigned watch commander will ensure the proper forms documenting the certification of the tuning forks are completed.
 - c. Certification of tuning forks will be recorded on a Radar and Tuning Fork Certification of Accuracy form. The Traffic Safety Section will retain this original form for a period of three years.
 - d. If the frequency reading shown on the digital frequency counter meter is not within the tolerance indicated on the Ka-band Radar Tuning Fork Frequency and Tolerance Chart as applicable, and it cannot be adjusted the watch commander will ensure the fork is sent to radio repair, or returned to the manufacturer if it is under warranty for replacement.
 - 1) Ka-Band Radar Tuning Fork Frequency and Tolerance Chart
 - a) Tuning forks should vibrate at their cut frequency or within their +/- .5% tolerance. One mile per hour speed display on Ka-band radar requires 103.5 vibrations per second of the tuning fork. The formula for finding vibrating frequencies is $103.5 \times \text{Speed} \times \pm .5\% = \text{Tolerance}$.
 - b) Ka-Band Tuning Chart:

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SPEED MPH	MINUS TOLERANCE	MINIMUM ACCEPTABLE WHOLE NUMBER READING	CUT FREQUENCY	MAXIMUM ACCEPTABLE WHOLE NUMBER READING	PLUS TOLERANCE	+/- .5 % TOLERANCE
15	1545.23	1545	1553	1561	1560.77	7.77
20	2059.65	2060	2070	2080	2080.35	10.35
25.25	2599.93	2600	2613	2626	2626.07	13.07
25.3	2605.91	2606	2619	2632	2632.09	13.09
30	3089.47	3089	3105	3121	3120.53	15.53
35	3604.88	3605	3623	3641	3641.12	18.12
40.25	4145.17	4145	4166	4187	4186.83	20.83
40.3	4150.14	4150	4171	4192	4191.86	20.86
45	4634.71	4635	4658	4681	4681.29	23.29
50	5149.12	5149	5175	5201	5200.88	25.88
55	5664.53	5665	5693	5721	5721.47	28.47
60	6178.95	6179	6210	6241	6241.05	31.05

- e. Immediately after both tuning forks have been certified, the certifying Officer will use those forks to certify the radar unit in both the moving mode and stationary mode.

DI/jb

**METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER**

Date Issued: December 10, 2013 **Order No.:** Section XIII of SO 7-01

Effective Date: December 10, 2013 **Expiration:** Indefinite

Reference:

CALEA Standards: L 61.1.6.d; L 61.1.10

Cancelled Publications: Paragraph G from Section I of SO 7-01, issued September 5, 2012

Subject: ROADWAY SAFETY AND SOBRIETY CHECKPOINTS

To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To establish a standard, non-discriminatory procedure for conducting roadway safety and sobriety checkpoints in a legal, efficient, and safe manner.

POLICY: It is the policy of the St. Louis Metropolitan Police Department to conduct roadway safety and sobriety checkpoints as needed to maintain traffic safety. The purpose of a safety checkpoint is to ensure that motorists are licensed and carefully operating their vehicles and that their vehicles are fit for safe operation. The purpose of a sobriety checkpoint is to reduce the number of persons who drive while impaired or intoxicated. While Officers assigned to checkpoints are expected to make arrests of motorists who are operating motor vehicles while impaired or intoxicated, they should be ever mindful of the public relations facet of these operations. Sobriety checkpoints serve as a public relations tool by establishing a perception that the probability of being arrested for driving while impaired or intoxicated is great. The Supreme Court has ruled that a checkpoint may not be used for suspicionless criminal investigations. However, this ruling does not preclude the use of appropriately tailored checkpoints in response to exigent circumstances.

A. DEFINITIONS

1. Checkpoint Commander – A Supervising Officer, at the rank of Sergeant or above, who is in charge of a roadway safety or sobriety checkpoint.
2. Safety Vest – ANSI/ISEA-compliant safety vest.

B. LEGAL CONSIDERATIONS SURROUNDING HIGHWAY SAFETY CHECKPOINTS

1. Roadway safety and sobriety checkpoints will be done in a manner consistent with Federal and State court rulings.
 - a. The Officer stopping cars may not exercise discretion as to which motorists are stopped.
 - 1) The exercise of Officer discretion as to which car to stop, even in the general interest of highway safety, converts a permissible checkpoint stop into an unreasonable search under the Fourth Amendment.
 - 2) Motorists passing through the checkpoint MUST be selected for screening in a non-discriminatory manner (e.g., every car; every third car; every fifth car; etc.). If possible, every car fitting the screening criteria should be screened, but

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adjustments may be made if traffic volume renders it necessary. Only the Checkpoint Commander may change the selection criteria.

- 3) Obvious evidence creating individualized suspicion should not be ignored, but if it is not in plain view of the Officer, a court will likely conclude that it was obtained by an unreasonable search under the Fourth Amendment.

Example: A motorist not meeting the criteria for the checkpoint drives through with a broken tail-light, that motorist may still be subjected to a traffic stop.

- b. The purpose of the checkpoint must relate to the State's interest in highway safety and not that of general crime control.
 - 1) The focus of any inquiry at the checkpoint should be limited to:
 - a) License, registration, and insurance information;
 - b) Fitness of the vehicle for the road; or
 - c) Evidence of intoxication.
 - 2) Independent grounds creating individualized suspicion should not be ignored if they arise while the Officer is conducting a stop and following the objective criteria governing the checkpoint.

Example: A motorist meeting the checkpoint criteria is stopped, and when asked for his license and registration admits to having stolen the vehicle. The Officer can pursue that line of questioning.

C. CHECKPOINT PLANNING

1. The Checkpoint Commander will submit an Administrative Reports Transmittal Sheet (ARTS) (MPD Form GEN-14) containing the Operational Plan, approved through the chain-of-command, to the Bureau Commander requesting to conduct a checkpoint.
 - a. The ARTS will include the following information:
 - 1) Location of the checkpoint being requested;
 - 2) Date and times the checkpoint will be conducted;
 - 3) Past history and severity of crashes at that location, if applicable;
 - 4) Relationship of the location to alcohol establishments and related DUI statistics (local);
 - 5) Relationship of the location to major traffic arteries; and
 - 6) Relationship of the location to other reported crimes.
 - b. If approved by the Bureau Commander, the Checkpoint Commander will be advised through his/her chain-of-command.
2. Site Selection
 - a. The checkpoint will be located at a site which permits the safe flow of traffic through the checkpoint.
 - b. Consideration will be given to the posted speed limit, traffic volume, and visibility at the site of the checkpoint.

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- c. The location for the checkpoint will have adjoining public areas or sufficient width to create lanes lined with traffic cones which are available to pull a vehicle off the traveled portion of the road when circumstances warrant that the driver or any occupants should be further investigated for possible violations of the law.
- d. The checkpoint will be visible to approaching traffic from a reasonable distance.
- e. Consideration will be given to any other circumstances that may pose a hazard to the traveling public or to the Officers involved.

3. Publicity

- a. No checkpoint will be operated without a clear police presence at the scene (i.e. marked police vehicles and uniformed Officers).
- b. Additional warning devices will be used if necessary or deemed advisable (i.e. signs, flares, safety cones, lighting), as outlined in the operational plan.
- c. The Checkpoint Commander will assist the Department Public Information personnel in preparing any appropriate and/or necessary press release prior to conducting the checkpoint.
- d. The Checkpoint Commander also will notify the Circuit Attorney, the City Counselor's Office, and Prisoner Processing of the time, date, and location of the checkpoint.

D. OPERATIONAL PROCEDURE

1. Supervision

- a. There will be at least one (1) supervisor assigned to the checkpoint as the Checkpoint Commander. If the assigned supervisor must leave the checkpoint for any period of time without immediately being replaced by another supervisor, the checkpoint will be terminated.
- b. The Checkpoint Commander's primary tasks are to ensure safety and to maintain an orderly flow of traffic through the checkpoint. He/she is responsible for the management and oversight of the checkpoint operation including but not limited to:
 - 1) Assigning manpower responsibilities;
 - 2) Issuing proper equipment and monitoring usage;
 - 3) Overseeing the physical establishment of the site;
 - 4) Monitoring the traffic flow through the checkpoint to ensure the safety of all involved;
 - 5) Determining when the checkpoint should be terminated; and
 - 6) Completing the checkpoint After Action Report.
- c. Prior to implementing a checkpoint, the Checkpoint Commander will conduct a roll call with the other Officers who will staff the checkpoint. The operational plan will serve as the basis for the briefing.

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2. Personnel

Roadway checkpoints will consist of a Checkpoint Commander and any additional supervisors necessary to direct the efforts of Officers controlling traffic, as well as those assigned to question and screen motorists. There also should be a sufficient number of Officers to safely set up and maintain traffic signs, control traffic, interview motorists in a designated area, and staff the reserve and advance cars.

3. Time of Operation

Sobriety checkpoints should be conducted during those times when the potential for alcohol-related arrests is highest and the risk of creating traffic problems is lowest. Generally, these two times are compatible.

4. Equipment

The Checkpoint Commander will ensure that necessary equipment listed below, when appropriate, is made available:

- a. Barricades, cones, flares, and stop signs, as needed.
 - b. Large signs stating the purpose of the checkpoint.
 - c. Generators and lights, as appropriate.
 - d. Sufficient marked police units.
 - e. Flashlights (provided by Officers).
 - f. Safety Vests.
 - g. Properly calibrated pre-screening breath test devices.
5. All Officers working a checkpoint will be required to use assigned personal safety equipment (i.e. traffic vests, flashlights, etc).

E. PROCEDURES

1. All vehicles entering the established checkpoint will be systematically checked as per approved guidelines. Under no circumstances will Officers be allowed to randomly stop vehicles. Additionally, should traffic become backed up, the Checkpoint Supervisor will call for a "flush" of the checkpoint to allow the backup of cars to dissipate and not unduly delay motorists.
2. During the operation of a checkpoint, the use of observation vehicles posted on either side of the checkpoint may be considered. Such vehicles serve at least three vital functions:
 - a. Observation vehicles can assist the checkpoint supervisor in maintaining a safe and orderly flow of traffic through the checkpoint by early detection of traffic congestion, etc.
 - b. Observation vehicles can assist in detection of a variety of violations as vehicles approach the checkpoint.
 - c. Observation vehicles can monitor vehicles retreating from or attempting to elude the checkpoint. If reasonable suspicion is developed, the vehicle attempting to elude the checkpoint may be stopped and further investigated.

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3. Exigent Circumstances

In the event of a situation involving exigent circumstances (e.g., a missing child, identifying witnesses to a crime, or a search for a murder suspect) where a checkpoint may be determined by a supervisor to be necessary, the checkpoint procedures should be followed, if possible. However, each event must be evaluated based on the facts presented and appropriate action should be taken.

4. All checkpoints will be operated so that no vehicle is stopped for more than a reasonable time to perform an actual check or is waiting to be checked, unless facts warrant further investigation or charges are brought against the driver or any occupant.

5. Checkpoints will focus enforcement efforts in the areas of:

- a. Detecting impaired drivers;
- b. Use of occupant restraints;
- c. Driver's license violations;
- d. Vehicle license violations;
- e. Vehicle equipment violations;
- f. Detection of uninsured motorists;
- g. Enforcement of other violations that may include drug violations, weapons violations, fugitives, stolen vehicles, etc.

6. In the event an Officer discovers a violation, the vehicle will be directed out of the flow of traffic to a designated roadside location for follow-up investigation/enforcement.

F. REPORTS

1. After Action Report

a. An Intra-Department Report and Correspondence Sheet (MPD Form GEN-72) will be completed within twenty-four (24) hours after the conclusion of the checkpoint and contain, at a minimum, the following information:

- 1) Date and time the checkpoint was initiated, and the date and time the checkpoint concluded;
- 2) Location of the checkpoint;
- 3) Number of vehicles that were checked at the checkpoint;
- 4) Weather conditions during the checkpoint;
- 5) Number and types of arrests and charges resulting from the checkpoint;
- 6) Officers' comments about any unusual occurrence at the checkpoint;
- 7) Safety problems observed or occurring at the checkpoint;
- 8) Any recommendations concerning the operation of future checkpoints; and
- 9) Any deviation from the guidelines and an explanation (e.g., Officer error, traffic backing up, inclement weather, medical emergency, etc.)

b. The memorandum is to be approved, through the chain-of-command, to the Bureau Commander, who will forward a copy to the Chief of Police.

2. I/LEADS Offense Report

All reportable offenses **MUST** include the following information within the narrative of the I/LEADS report in order to establish that proper checkpoint protocol was followed:

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On **(DATE)**, the **(#)** District's **(#)** Platoon (e.g. 4th District's C Platoon) conducted a Traffic Safety/Sobriety Checkpoint at **(INTERSECTION – e.g. 14th & Delmar)** from **(TIME – e.g. 11:30 PM – 3:00 AM)**. The purpose of the checkpoint was to check for traffic safety violations including but not limited to; driving under the influence of alcohol, seatbelt usage, window tinting, license, registration, and insurance information.

A roll call was conducted with all of the involved Officers at the **(South, Central, North)** Patrol Division prior to the checkpoint. At the roll call, the Checkpoint Commander predetermined that Officers would stop every **(CHOSEN # – e.g. 3rd, etc)** vehicle driving **(DIRECTION OF TRAVEL CHOSEN – e.g. Southbound)** on **(STREET – e.g. 14th Street)** at **(STREET – e.g. Delmar)**. The Officers were advised there would be no discretion as to which vehicles were stopped and that one Officer would be assigned as the "flagging Officer." The flagging Officer's responsibility was to direct every **(CHOSEN # - e.g. 3rd, etc)** vehicle traveling **(DIRECTION)** on **(STREET)** into the checkpoint traffic lane.

Officers were advised at roll call that all on-view traffic violations, such as a broken tail light or headlight, may still be subject to a traffic stop, regardless of whether that vehicle meets the criteria for the checkpoint. It was explained that any on-view violations would be stopped by the traffic flagging Officer and the awaiting interviewing Officers would be advised of the on-view violation.

The lights at the intersection were placed on a red "flash" mode and a portable stop sign was placed in the intersection making it easier for the flagging Officer to direct every third vehicle into a lane created with traffic cones for the other waiting Officers.

The following Officers were assigned to the checkpoint;

Name, DSN – car # (Checkpoint Commander/Flagging Officer)
Name, DSN – car # (Interviewing Officer)
Name, DSN – car # (Interviewing Officer)
Name, DSN – car # (Interviewing Officer)
Name, DSN – car # (Original Report Writer)
Name, DSN – car # (Prisoner Transport)

PO (Arresting Officer Name) and (Reporting Officer Name), of the **(#)** District, arrested the subject who is fully described in the suspect/offender segment of this report after the following sequence of events. For the purpose of this report, the suspect/offender will be referred to as **(XXXXX. X)**.

(XXXXXX. X) was driving the **(CHOSEN #)** vehicle approaching the Traffic Safety Checkpoint at **(INTERSECTION)**. **(FLAGGING OFFICER)** stopped his vehicle and directed him into the checkpoint lane where **(INTERVIEWING OFFICER)** conducted the checkpoint traffic stop and interview.

Complete the remaining elements of the offense in the report narrative.

**SO 7-01
Attachment #1**

**MO LICENSE PLATE CONFIGURATION &
EXPIRATION/RE-ISSUANCE CHART**

Plate Description	Expiration with Re-Issuance	Configuration
Passenger/Recreational Vehicles	Jan – Dec	AAN ANA AAN AAN
Motorcycle/Motortricycles	April	AA NAA
Personalized/Specialty	July	Any combination of up to 6 numbers and/or characters
Will be 5 digits when re-issued; 4 digits prior to June 2008		
Disabled Passenger/Recreational Vehicles	September	AA NNA AA NAN
Local/Beyond 6, 9, 12 Truck	Jan – Dec	NAA NNN
Will be 5 digits when re-issued; 4 digits prior to June 2008		
Disabled Local/Beyond 6 & 12 Truck	September	NA ANN
Disabled Local/Beyond 18 Truck	December	NN ANN
Disabled Local/Beyond 24 Truck	December	NN ANN
Local/Beyond 18 Truck	December	NNA NAA (00A 1AA – 99A 9VZ)
Local/Beyond 24 Truck	December	NNA NAA (00A 1WA – 99B 9FZ)
Local/Beyond 26 Truck	December	NNA NAA (00B 1GA – 99B 9KZ)
Local/Beyond 30 Truck	December	NNA NAA (00B 1LA – 99B 9ML)
Local/Beyond 36 Truck	December	NNA NAA (00B 1MM – 99B 9NX)
Local/Beyond 42 Truck	December	NNA NAA (00B 1NY – 99B 9PU)
Local/Beyond 48 Truck	December	NNA NAA (00B 1PV – 99B 9RT)
Local/Beyond 54 Truck	December	NNA NAA (00B 1RU – 99B 9TT)
Local/Beyond 60 Truck	December	NNA NAA (00B 1TU – 99B 9UL)
Local/Beyond 66 Truck	December	NNA NAA (00B 1UM – 99B 9VC)
Local/Beyond 72 Truck	December	NNA NAA (00B 1VE – 99B 9VK)
Local/Beyond 80 Truck	December	NNA NAA (00B 1VS – 00B 9YF)
Regular Trailer	December	No config. provided
Permanent Trailer	Non-Expiring	NNN NAA (000 1PA – 999 9PZ)

Note: A = Alpha character; N = Number

Source: MO Department of Revenue

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Attachment #2

LICENSE PLATE CONFIGURATIONS

Beginning June 16, 2008, the first alpha character in the plate configuration will reflect the month. This change eliminates the need for a sticker showing the month of expiration.

APLHA		EXPIRATION MONTH
A and B	=	JANUARY
C	=	FEBRUARY
D and E	=	MARCH
F and G	=	APRIL
H and J	=	MAY
K and L	=	JUNE
M and N	=	JULY
P and R	=	AUGUST
S and T	=	SEPTEMBER
U and V	=	OCTOBER
W and X	=	NOVEMBER
Y and Z	=	DECEMBER

Example: Passenger/RV License: Plate # (AD4 M7K) First alpha “A” = January expiration

Example: Truck 6/12 License: Plate # (4DA 234) First alpha “D” = March expiration

For plate types that all expire in the same month (e.g., Personalized Plates, Motorcycles/Motortricycles, Trucks 18-80), there is no relationship between the plate code and the expiration month.

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Attachment #3

EXEMPTIONS FROM MOTOR VEHICLE SAFETY INSPECTIONS

1. Effective January 1, 2010, motor vehicles are exempt from the safety inspection requirement for the first five years following the model year of manufacture. This exemption is true regardless of whether or not a change of ownership occurs during this timeframe.

NOTE: This exemption does not apply to emissions inspections. There is no change to the emission inspection requirement in counties where required.

Example: A 2006 vehicle will be exempt from the safety inspection in 2006, 2007, 2008, 2009, 2010, and 2011.

Scenario 1: A 2006 manufactured vehicle's registration expires January 2012, but the applicant renews in December 2011.

Is a safety inspection required? Response: Yes

Scenario 2: A 2006 manufactured vehicle's registration expires December 2011, but the applicant renews in January 2012.

Is a safety inspection required? Response: No

Scenario 3: A 2007 model year vehicle's registration expires during 2009, but the applicant renews in January 2010.

Is a safety inspection required? Response: No

Scenario 4: An applicant purchases a 2006 model year vehicle in July 2009 and applies for title and registration in 2010.

Is a safety inspection required? Response: No

2. Vehicles registered for 26,000 pounds or above and registered for a period of less than 12 months also are exempt from the safety inspection requirement. This situation can occur when the applicant registers his/her vehicle on a quarterly basis and the registration is prorated. This situation also includes a change in ownership.

Scenario 5: An applicant renews the registration on his/her 36,000 lb truck in July of any given year.

Is a safety inspection required? Response: No.

Scenario 6: An applicant titles and registers his 1985 truck for 26,000 lb in March 2010.

Is a safety inspection required? Response: Yes (if registered April 1st or after, no inspection is required)

3. Other vehicles exempt from a safety inspection:
 - a. * "Even" model year vehicles with registrations expiring in "odd" calendar years;
 - b. * "Odd" model year vehicles with registrations expiring in "even" calendar years;
 - c. All trailers;
 - d. Motor vehicles engaged in interstate commerce and registered with the Missouri Department of Transportation
 - e. Motor vehicles that display historic plates;
 - f. Motor vehicles sold for junk, salvage or rebuilding;
 - g. Motor vehicles sold from dealer to dealer; and
 - h. Low speed vehicles as defined in **Section 304.029, RSMo.**

NOTE: * An inspection is required regardless of model year, if there is a complete change of ownership. **Exception;** motor vehicles are exempt from the safety inspection requirement

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for the first five years following the model year of manufacture. This exemption is true regardless of whether or not a change of ownership occurs during this time frame.

4. The following transactions are exempt from a safety inspection:
 - a. Renewing license plates that were transferred from one motor vehicle to another within the previous six months;
 - b. Transferring a registration (with no change of ownership) to an "even" model year vehicle in an "odd" calendar year, or to an "odd" model year vehicle in an "even" calendar year; and
 - c. Renewing or registering a vehicle that is out of state at the time of renewal/registration. The vehicle must have been out of state for at least 60 days prior to renewing/registering the vehicle. The vehicle must be inspected within 10 days of the vehicle's return to Missouri.

Source: MO Department of Revenue public website (3/2010)