



**MONTGOMERY COUNTY, MARYLAND
DEPARTMENT OF POLICE**

TRAFFIC MANAGEMENT SYSTEM

DIRECTIVE NO:

FC 1000

EFFECTIVE DATE:

September 10, 2025

CANCELS:

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dated April 23, 2001

ACCREDITATION:

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PROPONENT UNIT:

Traffic Operations Division

AUTHORITY:

Marc R. Yamada, Chief of Police

If a provision of a regulation, departmental directive, rule, or procedure conflicts with a provision of the contract, the contract prevails except where the contract provision conflicts with State law or the Police Collective Bargaining Law. (FOP Contract, Article 61).

I. POLICY

It is the policy of the Montgomery County Department of Police (MCPD) to promote the safe and efficient movement of traffic within Montgomery County, Maryland. This will be accomplished by instituting a coordinated department-wide Traffic Management System. The system aims to facilitate the safe and expeditious flow of vehicular and pedestrian traffic and reduce traffic collisions and their resultant fatalities and injuries.

The MCPD will treat all persons having contact with this agency in a fair, equitable, and objective manner, in accordance with the law, and without consideration of their race, ethnicity, national origin, religion, age, gender, gender identity/expression, sexual orientation, immigration status, disability, housing status, occupation, language fluency, or other individual characteristics.

In addition, this department's policy is to take enforcement action when traffic laws are violated. The level of enforcement should be commensurate with the severity of the traffic offense. Enforcement will be accomplished impartially and courteously using written warnings, safety equipment repair orders, citations, and/or physical arrests. All uniformed officers are responsible for traffic law enforcement unless a specific situation dictates otherwise.

II. PURPOSE

This directive establishes guidelines for enforcing traffic laws, effectively using traffic resources, and uniform procedures for dealing with traffic issues.

III. DEFINITIONS

For purposes of this directive, the following terms have the meanings indicated.

- A. Biased Policing: The application of police authority based on a group's common trait. This includes but is not limited to race, ethnicity, national origin, religion, age, gender, gender identity/expression, sexual orientation, immigration status, disability, housing status, occupation, or language fluency.
- B. Citation: A written or electronic charging document issued by the police and ordering the defendant to appear in court before a judge to defend against the stated charge; for non-incarcerable citations, the defendant may take other action (e.g., pre-payment of fine) to avoid the need to appear in court.
- C. Off-Road Vehicle: A motorized vehicle designed for or capable of cross-country travel on land, water, snow, ice, marsh, swampland, or other natural terrain.
- D. Racial Profiling: Any law enforcement-initiated action (i.e., traffic stops, investigative stops, etc.) based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or information identifying the individual as having engaged in criminal activity.
- E. Selective Traffic Enforcement: Enforcement that is proportional to traffic collisions and traffic violations with respect to time, location, and type of violation.
- F. Traffic Stop: Any instance when a law enforcement officer stops the driver of a motor vehicle and detains the driver for any period for a violation of the Maryland Vehicle Law.

IV. TRAFFIC MANAGEMENT SYSTEM

- A. The Traffic Management System employs the following strategies to meet its goals:
 - 1. Ancillary Traffic Services
 - 2. Automated Photo Traffic Enforcement
 - 3. Collision Investigations
 - 4. Community-Oriented traffic policing

5. Enforcement of motor vehicle laws
 6. Pedestrian Safety/Enforcement
 7. Impaired Driver Countermeasures
 8. Liaison with Traffic Safety groups
 9. Media coverage/Use of social media
 10. Motor Carrier Safety Program
 11. Parking Enforcement
 12. Police Traffic Management
 13. School traffic safety/crossing guards
 14. Selective Traffic Enforcement
 15. Traffic Engineering
 16. Traffic Incident Management System (TIMS)
 17. Traffic Safety and Education Programs
- B. The Chief of Police will establish the goals of the Traffic Management System, and the Director of the Traffic Operations Division (TOD) will establish objectives and strategies to meet the department's traffic management goals.
- C. Each district commander will be responsible for developing and implementing a District Traffic Management System in concert with the department's traffic management goals. Annually, district commanders will submit a written report to the Chief of Police that should include:
1. An annual analysis of traffic collisions
 2. An annual analysis of traffic enforcement activities
 3. Implementation of selective enforcement techniques and procedures
 4. Deployment of traffic enforcement personnel
 5. An evaluation of selective traffic enforcement activities
 6. Locations where traffic citations are issued.
- D. Centralized Traffic Unit (CTU) operations will be consistent with the traffic management system's goals and strategies. The Director of the Traffic Operations Division will establish specific duties for CTU operations.

V. ANALYSIS OF TRAFFIC DATA

- A. The Director of the Traffic Operations Division will disseminate traffic data to the district commanders. Data will be obtained from various resources, including the US Department of Transportation (DOT), the Maryland State Highway Administration (SHA), the Maryland State Police (MSP), the Maryland Judicial Information System, and the Montgomery County Department of Public Works and Transportation.
- B. Traffic data analysis will be the responsibility of the Traffic Operations Division.
- C. The products of this analysis will be distributed to the appropriate personnel. These products **should** define traffic hazards and management problems by causative factors, the volume of collisions/violations, geographic location, day of the week, time of day, and seasonal factors.

- D. Traffic records will be part of the department's centralized record system. These records' processing, maintenance, distribution, retention, and release will be handled pursuant to the Information Management and Technology Division (IMTD) Standard Operating Procedures.

VI. SELECTIVE TRAFFIC ENFORCEMENT

- A. Selective traffic enforcement will be integral to the District Traffic Management System. Selective enforcement techniques will be utilized for the following purposes:
 - 1. Protecting life and property—Reducing the number of hazardous traffic violations through enforcement efforts reduces the number and severity of traffic collisions and decreases collision-related deaths, injuries, and property damage losses.
 - 2. Reducing traffic collisions—There is a direct positive correlation between high-level/high-quality traffic enforcement efforts and reducing the number and severity of traffic collisions at a given location.
 - 3. Expediting traffic flow—Some collisions occur during "stop and go" traffic, caused by inattention or poor driver judgment during changing speeds, stops and starts, and frequent lane changes. Smooth traffic flow tends to eliminate or reduce these types of collisions.
 - 4. Addressing community complaints—Identifying chronic or occasional traffic-related issues such as speeding and unsafe driving behavior.
- B. Implementation of selective enforcement techniques should target specific problems as determined by factors including but not limited to:
 - 1. Traffic analysis
 - 2. Citizen complaints
 - 3. Needs identified by MCPD personnel
 - 4. Needs identified by other appropriate County personnel
- C. Implementation of selective enforcement techniques may include enforcement actions such as:
 - 1. High Visibility Enforcement (HVE);
 - 2. Traffic checkpoints;
 - 3. Saturation patrols;
 - 4. Stationary observation of intersections;
 - 5. Use of speed measuring devices and
 - 6. Other approved techniques as appropriate to the situation.

D. High Visibility Enforcement

High Visibility Enforcement (HVE) is a universal traffic safety approach designed to create deterrence and change unlawful traffic behaviors. HVE combines highly visible and proactive law enforcement targeting a specific traffic safety issue. Law enforcement efforts are combined with visibility elements and a publicity strategy to educate the public and promote voluntary compliance with the law. HVE incorporates enforcement strategies such as:

1. Enhanced visibility patrols;
2. Visibility element designed to make enforcement efforts obvious to the public (signs, message boards);
3. Wave enforcement (increased enforcement of a specific traffic violation in a targeted location for a short period that occurs periodically) and
4. Multi-jurisdictional efforts (combine your resources and your efforts with neighboring jurisdictions, including “non-traditional” agencies).

E. Covert/Overt Traffic Operations

Whether covert or overt, stationary observation is a technique for observing traffic flow or enforcing traffic laws at a particular location. In some instances, parking the police vehicle or observing from an inconspicuous location may be an alternative when an officer sets up radar or lidar or conducts other selective enforcement.

VII. PEDESTRIAN AND BICYCLE TRAFFIC ENFORCEMENT

- A. Pedestrian and bicycle traffic enforcement should facilitate safe and efficient traffic movement within the county. Pedestrian and bicycle-related traffic issues **should** be considered in the District Traffic Management System.

VIII. GUIDELINES FOR TRAFFIC ENFORCEMENT

- A. Officers are given discretion in enforcing traffic laws. In some instances, a written warning may be appropriate. In other instances, a citation may be appropriate. More serious violations may require a physical arrest.
- B. A written warning is appropriate when the violator commits a violation due to ignorance of a recently enacted law or where a minor equipment defect is apparent.
- C. The MCP Form 24, "Warning Notice," or electronic E-TIX warning may be a proper alternative to a minor traffic infraction committed in an area with minimal traffic collisions.
- D. The issuance of a citation is applicable in most cases where the violator has jeopardized the safe and efficient flow of vehicular and pedestrian traffic, including hazardous moving and parking violations.

- E. The issuance of a safety equipment repair order (SERO) is applicable for operating unsafe and/or improperly equipped Maryland-registered vehicles.
- F. Officers may affect a physical arrest for those violations listed in Section §26-202 of the Transportation Article. The decision to effect a physical arrest should be based upon sound legal justification.

IX. TRAFFIC STOPS

A. Race-Based Stops

Montgomery County Department of Police is committed to unbiased law enforcement in all encounters between officers and the community. Discrimination in any form, including profiling and bias policing, is strictly prohibited, and the department will take immediate and appropriate action to investigate all allegations concerning such actions. Officers will not stop or detain individuals (s) based exclusively on their race, ethnicity, or national origin unless this information relates to a specific “look-out” regarding a suspect’s physical description concerning a criminal investigation or other legitimate law enforcement action.

Note: This policy does not limit or alter the authority of an officer to make a legally sanctioned arrest, conduct a search or seizure, or otherwise fulfill the officer’s law enforcement duties when appropriate legal grounds exist.

B. Race-Based Reporting Requirements

1. Maryland Transportation Article §25-113 requires every law enforcement officer to report certain information about traffic stops.
2. Traffic stops that are excluded from this reporting requirement are:
 - a. Roadblocks and checkpoints;
 - b. A stop of multiple vehicles due to a traffic collision or emergencies requiring the stopping of vehicles for public safety purposes;
 - c. Traffic stops using Radar, Lidar, or Vascar; or
 - d. Stops based on License Plate Reader (LPR).

C. Documentation

1. All traffic stops will be documented by one or more of the following measures (exceptions refer to IX.B.2.a & b):
 - a. Custodial Arrest;
 - b. Maryland Uniform Complaint and Citation (written or electronic);
 - c. Safety Equipment Repair Order (SERO);
 - d. Warning (written or electronic);
 - e. Police Information Report (2938);

f. Field Interview Report (FIR).

2. Vehicle Searches Resulting from a Traffic Stop

Officers will document all vehicle searches resulting from a traffic stop in the E-Tix system, listing the primary reason for the stop as the first violation.

X. RE-EXAMINATION OF DRIVERS

- A. A request for re-examining a driver who appears to be mentally or physically incapable of safely operating a motor vehicle will be made electronically on the MSP Delta Plus/E-Tix program or a form provided by the Motor Vehicle Administration (MVA Form DC91).

XI. OFF-ROAD VEHICLES

- A. Off-road vehicles (ORV) use is governed by provisions of Natural Resources Article, §5-1301, Annotated Code of Maryland, and any penalties under Criminal Law Article, §6-405, Annotated Code of Maryland. This section prohibits the use of off-road vehicles on both public and private property unless it is either with the owner's permission or is specifically permitted by law.

XII. SAFETY EQUIPMENT REPAIR ORDER (SERO)

- A. The electronic equipment repair order or the MSP 157 may be used to document and correct defective vehicle equipment.
- B. The issuance of a SERO will be in accordance with policies and procedures established by the Maryland State Police (MSP).