



**SOUTH COAST BRITISH COLUMBIA
TRANSPORTATION AUTHORITY
POLICE SERVICE**

TRAFFIC MANAGEMENT & ENFORCEMENT

Effective Date: May 9, 2005

Revised: September 12, 2005 [*Interim Amendment – November 24, 2011*]

POLICY

1. The South Coast British Columbia Transportation Authority Police Service (SCBCTAPS) will provide professional traffic management and enforcement, with the paramount focus on the protection of human life and property.
2. The goal of all enforcement strategies will be to facilitate the safe and efficient flow of vehicle and pedestrian traffic, and increase voluntary compliance with traffic regulations.
3. SCBCTAPS traffic enforcement will be in compliance with all related Federal, Provincial and Municipal legislation.
4. SCBCTAPS Members will ensure that any enforcement action strictly adheres to:
 1. all SCBCTAPS directives, policies and procedures, and
 2. any protocols in effect with the jurisdiction the enforcement action is being taken.

REASONS FOR POLICY

5. SCBCTAPS is unique in that its Members carry out their duties and responsibilities within a multi-jurisdictional environment.
6. Members' duties and responsibilities regarding traffic management and enforcement may vary jurisdiction to jurisdiction, and may be specified by protocols with each Jurisdictional Police Department (JPD).
7. To clearly define the duties and responsibilities of Members relating to traffic management and enforcement when dealing with incidents on transit property.
8. To clearly define the parameters and limitations of traffic management and enforcement by Members when faced with incidents that do not occur on transit property.
9. To clearly define the duties and responsibilities of Members relating to traffic offences by young persons and foreign representatives of diplomatic missions, consular posts and international organizations in Canada.

PROCEDURES

TRANSIT PROPERTY

Calls for Service

10. Members will respond to traffic related complaints on transit property and will investigate such incidents, unless it is determined that the nature of the traffic incident is more appropriately turned over for investigation by the JPD, with specialized traffic accident investigators.
11. The priority given to this response will be proportionate to the reported circumstances, taking into consideration loss of life or the potential loss of life, injuries or the potential of injuries, or the seriousness of damage to private or transit property.
12. A high priority response will be afforded circumstances where:
 1. injuries or death has occurred,
 2. the potential of injuries or death exists,
 3. there is extensive damage to private or any damage to transit property, or
 4. a Criminal offence has also been committed.

This includes, but is not limited to:

5. motor vehicle fatality crash,
 6. motor vehicle injury crash,
 7. impaired operation of a motor vehicle,
 8. dangerous operation of a motor vehicle,
 9. illegal parked or abandoned vehicles which create a traffic hazard placing human life at risk,
 10. any traffic hazard that places human life at risk,
 11. damage to transit property caused by a motor vehicle, and
 12. motor vehicle crash involving a transit vehicle (includes SCBCTAPS vehicles).
13. A lower priority may be given to circumstances where minor damage to motor vehicles has occurred or where a minor traffic offence is ongoing and human life is not at risk.
 14. The lowest priority may be given to circumstances where a traffic offence has occurred and the offender(s) and vehicle(s) have left the scene, and a follow up investigation may be conducted without an immediate response to the scene.

Proactive Enforcement

15. Members will, during the normal course of their duties, patrol transit property (e.g., employee parking areas, bus loops adjacent to transit stations, Scott Road Station parking lot) to detect violations of the Motor Vehicle Act (MVA) and to take the appropriate enforcement action.

Traffic Management

16. Members will, during the normal course of their duties, identify and document any traffic management issues, and forward an incident report to the Patrol Supervisor for review and follow up, as appropriate. These issues include, however are not restricted to:

1. debris or spills on transit roadways,
2. defects in the roadway,
3. lack of, or defects in any safety features,
4. lack of, improper, visually obstructed, missing or damaged traffic control informational signs, and
5. lack of, or defective roadway lighting.

OFF TRANSIT PROPERTY

Enforcement

17. Members will only conduct traffic enforcement off transit property when a protocol is in place with the JPD and the protocol specifically identifies the limitation of the duties and responsibilities of SCBCTAPS Members.

18. Members will not become involved in any traffic related incident off property, which is not a condition of a protocol with the JPD unless:

1. requested to do so by a member of the JPD, or
2. during the normal course of the Member's duties, the Member witnesses a hazardous traffic violation, that can only be dealt with by considering the safety of the general public, offender and SCBCTAPS Member, or
3. during the normal course of the Member's duties, the Member witnesses or happens upon a situation where death or serious injury has occurred, or the risk of death or serious injuries exists, and the JPD is not on scene. In such a case, the Member may do any or all of the following, as appropriate:
 - a. if available, park the SCBCTAPS police vehicle in the most appropriate location to safeguard the scene and/or control traffic, with the emergency lighting engaged,
 - b. confirm with the Operations Communication Centre (OCC) that the JPD has been contacted and are dispatched,
 - c. conduct traffic control utilizing proper protective equipment,
 - d. immediately assess the situation and render any first aid that the Member is qualified to offer; supply to the OCC any information for forwarding to the JPD; and request the OCC to dispatch/request the appropriate emergency services, for example:
 - i. Emergency Health Services,
 - ii. Fire Rescue Services,
 - iii. BC Hydro,
 - iv. Terasen Gas,
 - v. traffic control services.
 - e. treat as a crime scene and:
 - i. safeguard the integrity of the scene,

- ii. preserve evidence and, if required, take evidence into custody and take appropriate steps to ensure continuity,
 - iii. detain any suspects still on scene, and
 - iv. identify possible witnesses and obtain sufficient details so that they may be contacted at a later time if they leave the scene.
- f. remain on the scene until the JPD has arrived and:
- i. brief JPD member,
 - ii. turn over any suspect detained,
 - iii. turn over any evidence seized,
 - iv. identify any witnesses remaining on scene,
 - v. render assistance, if requested.

TRAFFIC OFFENCES - YOUNG PERSONS

[See also: OD180 – Young Persons]

19. Prior to issuing a provincial Violation Ticket (VT) to a driver between the age of 12 and 18 for a traffic related offence, Members should consider all circumstances, including, but not limited to the young person's age, the offence, the driving record and the attitude of the young person.
20. The Offence Act states that there is no obligation on a peace officer to advise the guardian of a young person that a VT was issued. This fact notwithstanding:
1. Drivers who are 16 to 18 years of age will be processed by Members as any adult driver would be processed. The parents/guardians should not be contacted unless the circumstances are sufficiently remarkable that in the Member's opinion the parents/guardians should be made aware of the young person's behaviour and/or driving habits.
 2. Drivers who are 12 to 15 years of age will not be processed by Members as any driver would be processed. Members have the discretion to issue a VT, however, if the circumstances support it, Members are encouraged to deal with the matter in an alternative manner (i.e., issuance of Provincial Youth Summons and notification to the Motor Vehicle Branch–Victoria). In all cases, the parents/guardians of the young person in this age group will be contacted. If the Member believes that an issue of child protection exists, the Ministry of Children and Family Development will be contacted.

TRAFFIC OFFENCES - FOREIGN REPRESENTATIVES

[See also: OB120 – Diplomatic Immunity]

General

21. Official representatives of foreign countries are guests in Canada and will be treated with courtesy by Members. The Office of Protocol of the Department of Foreign Affairs and International Trade (DFAIT) deals with the immunities of foreign representatives of diplomatic missions, consular posts and international organizations in Canada.

22. Members should report all offences by foreign representatives of diplomatic missions, consular posts and international organizations to the Diplomatic Security Officer, DFAIT, Office of Protocol.
 1. Members requiring advice on the privileges and immunities of foreign representatives should consult with their Supervisor. (Telephone numbers for the Diplomatic Security Liaison Officer (RCMP) and DFAIT 24-Hour Watch Officer are available in the SCBCTAPS Telephone Directory.)
23. Foreign representatives of diplomatic missions, consular posts and international organizations in Canada are issued both an acceptance (Counterfoil in foreign passport) and identity cards by the Office of Protocol in DFAIT. The identity card is the only document that Members should recognize to positively establish the status of persons claiming immunities.

Prosecution and Temporary Protection

24. There is an onus placed on police officers to prevent the continuation of an offence that may endanger public safety. Regardless of the immunity status of the suspect, a Member will prevent the repetition or continuation of an offence. If absolutely necessary, a person enjoying immunity may be taken into "Temporary Protection" (Not arrested, Not detained) until such time as a responsible member of the same mission arrives to relieve the police of their responsibility. In the absence of a member of the mission, a family member may be called to the scene.
25. A person enjoying immunity should only be taken into temporary protection for criminal code offences such as Dangerous Driving, Criminal Negligence or Impaired Driving and only to prevent the repetition or continuation of the offence. If an individual is taken into temporary protection, the Member will contact the Watch Commander, and the Watch Commander must contact DFAIT immediately.

Motor Vehicle License Plates

26. A special license plate on the motor vehicle gives the driver no immunity, it is the category of the identity card produced.

Provincial Violation Tickets

Minor Traffic Offences

27. When a Member encounters a person with immunity committing a minor traffic offence, the Member will exercise discretion and politely encourage the person to not repeat the offence.

Serious Traffic Offences

28. When a Member encounters a person with immunity committing a serious traffic offence, the Member can issue VT or exercise discretion and issue a written warning or give a verbal warning. If a VT is issued, the Member will contact the Watch Commander, and the Watch Commander must contact DFAIT immediately.

29. The Watch Commander has a detailed list of the different categories of persons with a summary of law enforcement measures for reference of Supervisors and Members.

PROTECTIVE EQUIPMENT

30. In compliance with Workers' Compensation Board health and safety regulations, Members will wear approved reflective vests when their duties require exposure to vehicular traffic.

EMERGENCY RESPONSE TO TRAFFIC INCIDENT

31. Members will not, under any circumstances, exercise the privileges granted by s. 122 of the MVA unless they have successfully completed the Emergency Vehicle Operators Training Program and the circumstances are consistent with the Emergency Vehicle Driving Regulation.

ENGAGING IN PURSUIT

~~32. Members will not, under any circumstances, engage in a pursuit, as defined by the Emergency Vehicle Driving Regulation. The MVA, EVDR and Guidelines published by the Police Services Division of the Ministry of Public Safety and Solicitor General (MPSSG) provide the authorities and parameters in which Pursuits shall be conducted within the Province of British Columbia. All Pursuits that Members are engaged in, must be conducted in compliance with the Transit Police pursuit policy and related Standard Operating Procedures (SOPs). The Transit Police pursuit policy is in compliance with, and supported by, the aforementioned statutes and guidelines.~~

~~Members will only engage in vehicular pursuit in Exigent Circumstances, as there is inherent risk to public safety and the parties involved in the Pursuit.~~

~~**[Interim amendment per OA130: Pursuits – Emergency Vehicle Operations, approved November 11, 2011 by the Police Board]**~~

STOPPING VEHICLES

~~32.33.~~ Emergency equipment will be used when stopping a vehicle and continue to be used until such time the SCBCTAPS or vehicle stopped is not a hazard to other traffic.

~~33.34.~~ When making a traffic stop, Members will be cognizant of their safety, the safety of the person(s) in the vehicle being stopped and other users of the roadway (i.e. buses in bus loops).

[See also: OA130 – Pursuit, OB120 – Diplomatic Immunity, OB280 – Towing of Vehicles, OB290 – Stolen Vehicles, OC010 – Patrol Responsibilities, OD030 – Crime Scene, OG010 – Personal Protective Equipment, OJ130 – Impaired Driving, OJ140 – Motor Vehicle Incidents.]