

# GENERAL ORDER

## PORT WASHINGTON POLICE DEPARTMENT

SUBJECT:	<b>OTHER TRAFFIC RELATED DUTIES</b>	NUMBER:	6.2.5
		ISSUED:	5/12/09
SCOPE:	All Sworn Personnel	EFFECTIVE:	5/12/09
DISTRIBUTION:	General Orders Manual	<input checked="" type="checkbox"/> RESCINDS	27.1
		AMENDS	
REFERENCE:	WI State Statute 102.58	WILEAG 5th EDITION STANDARDS: 6.2.9, 6.2.10, 6.2.12, 6.2.13, 6.2.14	

INDEX AS: Assistance to Highway Users

Escort Services

Hazardous Highway Conditions

High Visibility Clothing

Traffic Direction and Control

Vehicle Unlocks

PURPOSE: The purpose of this Order is to ensure the safe and efficient movement of motor vehicles and pedestrians within the City of Port Washington. The department will strive to reduce the incidence of traffic crashes and to provide for the orderly and safe flow of traffic.

This Order consists of the following numbered sections:

- I. TRAFFIC DIRECTION
- II. SIGNALING CONTROL AIDS
- III. HIGH VISIBILITY CLOTHING
- IV. ESCORT SERVICES

V. ASSISTANCE TO HIGHWAY USERS

VI. ADVERSE HIGHWAY AND WEATHER CONDITIONS

VII. ABANDONED VEHICLES

I. TRAFFIC DIRECTION

A. Manual Traffic Direction

1. Manual traffic direction shall be performed by police officers when necessary to ensure the safe and efficient movement of motor vehicles and pedestrians. Circumstances and situations will dictate whether officers should direct traffic or permit the traffic to flow without assistance.
2. Traffic flow problems may occur due to any of the following:
  - a) Traffic light malfunction or downed stop sign.
  - b) Special event creating heavy traffic flow.
  - c) Traffic crash, fire scene, etc.
  - d) Temporary road hazard, obstruction, or construction.

B. Manual Traffic Direction Procedures

1. In the event traffic control is needed, the officer assigned shall maintain a professional attitude and demeanor while conducting traffic control duties. Any other type of attitude or demeanor is likely to create more confusion than already exists for the pedestrians or vehicles being controlled.

The first step in the process is to select the proper location to establish operations. Several factors must be considered in selecting this location. They are:

- a) Design of the intersection,
  - b) Traffic patterns
  - c) Lighting conditions, and
  - d) Degree of traffic control required
2. The position of the police officer shall be selected with personal safety in mind. This position must be clearly visible to drivers and should not interfere with the flow of traffic. The point most commonly selected is the middle of the intersection. Intersection design may dictate that another spot be chosen. Some types of intersections requiring the location to be to one side or the other of center are:
- a) A "T" type intersection,
  - b) A one way street, and/or,
  - c) Unusually narrow roadway
3. Manual traffic direction by an officer shall be handled in a manner that will enable drivers and pedestrians to easily recognize and respond to standardized, clearly visible, and easily understood audible signals (traffic whistle) and visual signals (hand signals) from the officer.
4. When directing traffic, the police officer shall stand with his/her face or back toward the stopped traffic and his/her side toward traffic being directed to proceed. There are five basic signals for manual traffic control. They are:
- a) **To stop traffic:** The officer shall extend their arm(s) outward with palm(s) towards the vehicle(s) to be stopped, accompanied by one long blast on the traffic whistle
  - b) **To start traffic:** The officer shall use the hand nearest the stream of traffic being directed to go. Holding the arm horizontal at shoulder height point, with the index finger at the vehicle(s) being directed, accompanied by two short blasts of the traffic whistle. Bending the elbow, bring the hand back in an arc to the front of chin to direct traffic to pass in front of the person directing traffic. Using the same procedure, bring the hand back behind the ear to direct traffic to pass in back of the person directing traffic.
  - c) **To change direction:** Use the stop signal to stop each stream of moving traffic separately. Turn 90 degrees. Keep both hands in the stop signal position. Give the go signal to each stream of traffic separately.

- d) **Right turns:** The officer shall gesture to the driver of a vehicle turning right, to perform the turn by pointing at the driver and extending their arm toward the direction in which the turn is to be made.
- e) **Left turns:** Left turns may be made only when there is a gap in the traffic flow or all cross traffic has been stopped. With the arm extended horizontally the officer shall point at the driver and swing the arm straight to point to where the driver is to go.

C. Manual Operation of Traffic Control Signals

- 1. Manual operation of traffic control signals may be initiated by officers under any of the following circumstances:
  - a) Special event causing excess traffic.
  - b) Traffic control signal malfunctions.
  - c) Traffic accident or other event affecting traffic movement.
- 2. Police officers may put traffic control signals on all direction flash, if by doing so a traffic problem will be reduced.
- 3. When an officer places traffic control signals on flash in response to a malfunction with the signals, an incident report will be prepared and a copy sent to the department of public works outlining the circumstances of the failure.

D. Temporary Traffic Control Devices

- 1. Portable stop signs may be used as needed in the event of a signal malfunction or downed or missing stop sign.
- 2. In case of a major traffic disruption, portable stop signs, barricades etc. are available from the Department of Public Works.

E. Special Events

- 1. Special events may necessitate involvement of the police department for traffic direction and control. The department shall provide necessary traffic direction and control in support of such pre-approved events.

F. Traffic Control at Fire Scenes

1. The primary duty of department personnel engaged in traffic direction at a fire scene is to maintain access for fire fighting vehicles and equipment, as well as limiting public access to the area.
2. The first officer(s) at the scene of a fire, shall position their vehicle(s) as to limit access to the area and coordinate their traffic and crowd control efforts with the fire department on-scene commander.
3. If it appears the fire fighting efforts will be prolonged, the Department of Public Works should be notified to barricade the streets involved.

## II. Signaling Control Aids

A. Use of signaling control aids may be necessary while conducting manual traffic control. These include, but are not limited to:

### 1. Traffic Whistle

- a) One long blast signals traffic to stop.
- b) Two short blasts signal traffic to proceed.
- c) Several short blasts should be used to gain attention.
- d) The whistle should be used as needed and **never** to indicate frustration or anger.

### 2. Voice

- a) Do not shout. Use a loud, professional tone.

### 3. Flashlight

- a) To stop traffic, swing the flashlight beam across the vehicle's path.
- b) Direct the beam at the pavement, being careful not to blind drivers.
- c) After a vehicle is stopped, use manual signals for further instructions.

## III. HIGH VISIBILITY CLOTHING/SAFETY DEVICES

- A. Officers shall wear the department issued reflective, high visibility traffic safety vests when directing traffic, other than in the event of an immediate emergency. In the event of an immediate emergency, officers shall put on the reflective traffic safety vest as soon as practical.
  - 1. Reflective vests and reflective clothing should minimally adhere to ANSI II standards for high visibility safety.
- B. Flashlights should be used with cone shaped traffic wand light diffusers.
- C. Flares or electronic beacons may be positioned in the roadway or on the roadway edge in a manner that enhances conspicuity.

#### IV. VEHICLE ESCORTS, EMERGENCY and NON-EMERGENCY

- A. Escorts of emergency vehicles by emergency vehicles of the Port Washington Police Department are generally discouraged. While officers may stop traffic at intersections or otherwise control the movement of traffic to assist the passage of the emergency vehicle, actual escort of an emergency vehicle is not recommended except in unusual circumstances. Officers shall obtain prior permission from an on-duty supervisor before escorting another emergency vehicle.
- B. Escorts of Civilian Vehicle in Medical Emergencies
  - 1. Escorting civilian vehicles under emergency circumstances is an extremely dangerous practice and **is not authorized**.
  - 2. Officers who encounter situations where medical transport is needed shall immediately render first aid, as appropriate, and shall summon medical assistance and transport, if needed, through the Communications Center. If the operator of a civilian vehicle refuses to wait for medical transport and prompt medical assistance is needed, the officer may lead the civilian vehicle to the nearest medical facility but shall not use emergency equipment, shall obey all traffic regulations and shall take the most direct route.
  - 3. Officers shall not convey injured or ill persons to a medical facility for treatment in department vehicles. While officers cannot force persons to obtain medical assistance or accept medical transport, except in limited circumstances, officers shall encourage persons to accept these services and shall provide all necessary assistance until the emergency medical services arrive at the scene.

C. Escort of Non-emergency Vehicles:

1. Requests for routine, non-emergency escorts of dignitaries, oversized vehicles, parades, funerals, special events or hazardous or unusual cargo shall be approved by the shift supervisor.
2. During a non-emergency escort, the officer at no time shall exceed the posted fixed speed limit. Emergency lights and flashers shall be in operation at all times during such escorts, and the siren shall be used only to attract attention to such escorts.

**In compliance with Wis. Stat. § 346.215, escorts of oversized vehicles, or processions of vehicles will only be allowed if the procession or oversized vehicle is escorted by at least two (2) police vehicles, at least one of which is leading the procession and at least one of which is at the rear of the procession of vehicles.**

**In the event two (2) police vehicles are not available to assist in the procession, then the procession will not be escorted.**

V. ASSISTANCE TO HIGHWAY USERS

A. General Assistance

1. Officers shall provide reasonable assistance to motorists in need of information or directions.
2. Officers shall assist or arrange help for motorists in need of fuel.

B. Vehicle Lock Out Services

1. Officers shall respond to vehicle lock out calls for service and attempt to unlock the vehicle, if requested to do so. The individual requesting the service must first complete and sign the standard Port Washington Police Department "Vehicle Lockout Form", as provided by the responding officer or police aide before any attempt is made to open the vehicle. (Form attached.)
2. Officers or police aides should conduct a registration check to ensure the person is entitled access to the vehicle.

3. Officers or police aides may assist in contacting a party with a duplicate key or provide information regarding the availability of a locksmith or towing service for unlocking the vehicle if the individual does not wish for the officer to attempt entry and/or in the event the officer is unsuccessful in gaining entry to the vehicle once the Vehicle Lockout Form has been completed.
4. If the situation necessitates it, the officer or police aide should standby for the arrival of the locksmith or towing service. Once the locksmith or towing service has arrived and it is determined that the officer's/police aide's services are no longer needed, the officer/police aide may clear from the scene.
5. If the incident becomes an emergency and immediate action is required, the officer/police aide shall make entry to the vehicle in the safest and most expeditious manner possible.

C. Mechanical or Towing Services to Motorists

1. If a towing service is needed/requested, the officer/police aide shall ask the operator for a towing service preference. If there is no preference, the next towing service on the department towing list shall be contacted.
2. Officers/police aides should not attempt to provide repairs, change tires, jump batteries etc.
3. Police department vehicles shall not be used for pushing, towing or jump starting disabled vehicles.

D. Medical and Fire Assistance to Motorists

1. Officers who encounter motorists in need of emergency medical services or assistance shall, to the extent possible, render first aid, or take such other action as is based on the officer's training. Officers shall summon EMS personnel when needed.
2. Officers who encounter motorists in need of fire protection services shall ensure that persons are removed from immediate danger and summon fire and EMS personnel as needed.

VI. ADVERSE HIGHWAY AND WEATHER CONDITIONS

A. Adverse road and weather conditions may include, but are not limited to:

1. Accidental hazards, such as debris that has fallen on the roadway from another vehicle.



2. Downed power lines.
  3. Fallen trees.
  4. Acts of nature such as fog, flooding, ice or snow on roadway etc.
- B. Upon discovering or being sent to an adverse road or weather condition affecting safe roadway travel, officers are expected to request the help needed to remedy the hazard. For example, calling the needed support people from the Department of Public Works, etc.
- C. Department personnel shall provide traffic direction and control services in the vicinity of adverse road conditions, if appropriate, and shall do so with great caution, as snow, ice, flooding, and fog can all make traffic direction more dangerous.

## VII. ABANDONED VEHICLES

A. **Definitions:**

1. **“Vehicle”** shall mean any motor vehicle, trailer, semi-trailer or mobile home.
2. **“Street or Highway”** shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
3. **“Property”** shall mean any real property within the City, whether public or private, within the City that is not a street or highway, as defined above.

- B. **Abandonment of Vehicles Prohibited.** No person shall leave unattended on any street or highway or on any property within the City any vehicle, whether or not registered under Ch. 341, Stats., for such time and under such circumstances as to cause it reasonably appear to have been abandoned, unless it is a vehicle in a duly licensed auto salvage yard and/or junk yard as provided in § 12.08.020E., or unless it is a parts car or special interest vehicle owned by a collector and stored on the collector’s property, or unless it is a homemade vehicle, parts car, reconstructed vehicle, replica vehicle or street modified vehicle owned by a hobbyist and stored on the hobbyist’s property, as provided in § 12.08.020F.

- C. **Presumption of Abandonment.**

1. Unattended Vehicles. Any such vehicle left unattended for more than 48 hours on any public highway or property or on any private property where parking is prohibited or restricted, without the permission of the authority or owner in charge thereof, is deemed abandoned and constitutes a public nuisance.
  2. Inoperable and Unregistered Vehicles. Any such vehicle which is disassembled, dismantled, inoperable, wrecked or unregistered and any parts thereof stored or remaining in the open on any public highway or property, or on any private property not utilized as a vehicle junk or salvage yard permitted under this Code may be determined by the Police Department to be abandoned and to constitute a public nuisance.
  3. Enclosed and Covered Vehicles. This subsection does not apply to such vehicles located on private property, not in violation of this Code, if enclosed completely in a building or other storage place or if covered completely by a car cover or tarpaulin.
- D. **Exemption.** Any owner or operator of a registered vehicle which becomes disabled or inoperable for any reason, who is unable to remove it from a highway or public property not a prohibited or restricted parking area, shall notify the Police Department within 12 hours of such occurrence of the location of the vehicle and transfer and deliver clear title to the vehicle to the City together with towing costs for junking the vehicle, and thereupon shall be exempt from the provisions of this section. When so requested by the owner or operator, the Chief of Police is authorized to remove and junk such vehicle directly from its location.
- E. **Impoundment of Abandoned Vehicles.** Any police officer who discovers any vehicle which has been abandoned within the City or investigates a call-for-service regarding an abandoned vehicle shall issue and attach a "NOTICE OF ABANDONMENT" form to the vehicle in question, a copy of which will also be mailed to the last known registered owner of the vehicle. The investigating officer shall also create an incident report documenting the situation/circumstances of the call-for-service. If it becomes necessary for the Department to initiate removal of the vehicle in question, the officer's incident report shall include 1) the reason for removal, 2) the date, 3) the time, and 4) the location that the vehicle was towed from and 5) **officers must ensure that all reasonable attempts at contacting the vehicle owner and/or lien holder have been made and documented within the incident report.**
1. The "NOTICE OF ABANDONMENT" provides the vehicle owner forty-eight (48) hours from the date of the notice to remove the vehicle.
  2. If it is not removed or stored in conformity with the applicable provisions of the Municipal Code, a citation may be issued for each day of the violation and/or it may be impounded pursuant to 12.08.020(D) of the code.
  3. If impounded, the owner(s) will be civilly liable for any towing charges and accrued storage charges not recovered from sale or disposal of the vehicle.
  4. Any police officer who discovers any vehicle which has been abandoned within the City and having met the requirements outlined above shall cause the vehicle to be removed

by Auto Parts and Recycling Center, with whom the City has entered into a towing services agreement for such services.

5. Abandoned vehicles are towed under police authority, but are not held in the custody of this Department. Such vehicles remain in the custody of the towing service. Therefore, an inventory search of the vehicle should not be conducted.
  6. A grace period of ten (10) business days shall be provided, beginning with the time the "Notice of Abandonment" is issued until such time that Auto Parts & Recycling Center is contacted for the tow. Extenuating circumstances may warrant a shortened or extended grace period, which must first be approved by a supervisor.
  7. A municipal citation will be issued to last known owner.
- F. **Exception; Auto Salvage/Junk Yards.** The provisions of this section shall not apply to vehicles in auto salvage yards and/or junkyards that are duly licensed under the ordinances of the City of Port Washington pertaining to such operations.
- G. **Exception; Special Interest Vehicles, Parts Car, Homemade Vehicle, Reconstructed Vehicle, Replica Vehicle and Street Modified Vehicle.** The provisions of this section shall not apply to a "parts car" or "special interest vehicle" owned by a "collector" and stored on the collector's property, nor to a "homemade vehicle," "parts car," "reconstructed vehicle," "replica vehicle" or "street modified vehicle" owned by a "hobbyist" and stored on the hobbyist's property, as said terms are defined in secs. 341.266(1) and 341.268(1) Stats. A collector or hobbyist may store unlicensed, operable or inoperable, vehicles and parts cars on the collector's or hobbyist's property provided the vehicles and parts cars and the outdoor storage area are maintained in such manner that they do not constitute a health hazard and are screened from ordinary public view by means of a fence, rapidly growing trees, shrubbery or other appropriate means.

**12.08.050 Owner Liability.** The owner of any abandoned vehicle except a stolen vehicle is responsible for the abandonment and is liable for the costs of any charges of its impoundment and disposal.

APPROVED: DATE:



5/3/19

Chief Kevin Hingiss

Revised 5/3/19

Revised 4/11/19

Revised 4/8/19

Revised 9/7/16

Revised 7/12/16

Revised 9/30/13

ABANDONED VEHICLES NOTICE

12.08.020 Abandoned Vehicles

WORD:ABANDVEH.DOC 6/96

A. **Abandonment of Vehicles Prohibited.** No person shall leave unattended on any public highway or any public or private property in the city any motor vehicle, trailer, semitrailer, or mobile home as defined in sec. 340.01, Wis. Stats., whether or not registered under Ch. 341, Wis. Stats., for such time and under such circumstances as to cause it reasonable to appear abandoned.

B. **Presumption of Abandonment**

1. **Unattended Vehicles.** Any such vehicle left unattended for more than 48 hours on any public highway or property or on any private property where parking is prohibited or restricted, without the permission of the authority or owner in charge thereof, is deemed abandoned and constitutes a public nuisance.

2. **Inoperable and Unregistered Vehicles.** Any such vehicle which is disassembled, dismantled, inoperable, wrecked or unregistered and any parts thereof stored or remaining in the open on any public highway or property, or on any private property not utilized as a vehicle junk or salvage yard permitted under this Code may be determined by the Police Department to be abandoned and to constitute a public nuisance.

3. **Enclosed and Covered Vehicles.** This subsection does not apply to such vehicles located on private property, not in violation of this Code, if enclosed completely in a building or other storage place or if covered completely by a car cover or tarpaulin.

C. **Exemption.** Any owner or operator of a registered vehicle which becomes disabled or inoperable for any reason, who is unable to remove it from a highway or public property not a prohibited or restricted parking area, shall notify the Police Department within 12 hours of such occurrence of the location of the vehicle and transfer and deliver clear title to the vehicle to the City together with towing costs for junking the vehicle, and thereupon shall be exempt from the provisions of this section. When so requested by the owner or operator, the Chief of Police is authorized to remove and junk such vehicle directly from its location.

D. **Impoundment of Abandoned Vehicles.** Any vehicle found abandoned in violation of this section shall be impounded by the Police Dept. until reclaimed or disposed of under Section 12.08.030, except if the Chief of Police determines that the towing costs and storage charges for the impoundment would exceed the value of the vehicle, it may be disposed of by private sale or junked by the Chief of Police directly from its location and prior to the expiration of the impoundment period unless the vehicle is stolen or otherwise needed for evidence or other reason. All substantially complete vehicles in excess of 19 model years of age shall be disposed of in accordance with Section 12.08.030.

Make \_\_\_\_\_ Year \_\_\_\_\_ Color \_\_\_\_\_ Model \_\_\_\_\_

ID # \_\_\_\_\_ License # of Vehicle \_\_\_\_\_ State \_\_\_\_\_

Address of Parked Vehicle \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_  
POLICE OFFICER

\*\*\*\*\*

Removed \_\_\_\_\_ Date \_\_\_\_\_ By \_\_\_\_\_

To \_\_\_\_\_ Officer \_\_\_\_\_

CITY OF PORT WASHINGTON POLICE DEPARTMENT

Vehicle Lockout Form

I, \_\_\_\_\_,

Date of birth \_\_\_\_/\_\_\_\_/\_\_\_\_,

Living at \_\_\_\_\_,

City of \_\_\_\_\_, State of \_\_\_\_\_,

Telephone \_\_\_\_-\_\_\_\_-\_\_\_\_,

have requested that an officer of the City of Port Washington Police Department assist me in entering a locked vehicle,

License # \_\_\_\_\_,

Vehicle ID # \_\_\_\_\_.

I affirm that I own the above-mentioned vehicle, or have the permission of the owner, to possess and use said vehicle. In exchange for the assistance of the Port Washington Police Department officer, I hereby grant permission to the officer and the Police Department to attempt to unlock and enter said vehicle. I further agree to indemnify and hold harmless the officer, the Port Washington Police Department, and the City of Port Washington, from any claim, or for any damages which may occur to the vehicle or its contents, or for any personal injury which may result from the officer's attempt to unlock and/or enter said vehicle.

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Owner/Operator of Vehicle

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Date

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Witness/Officer

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Date

*Vehicle Lockout Form*