

**BALTIMORE CITY SCHOOLS**

*Baltimore School Police Force*

**GENERAL ORDER 10-12**

**SECTION D**

**ANNEX B**

**TRAFFIC LIGHT, E-Z PASS, SPEEDING AND PARKING CITATIONS**

**I. PURPOSE**

To establish uniform procedures for processing and disposing of camera generated traffic light, E-Z Pass, and speeding citations as well as parking citations, that are issued to BCSP vehicles operated by sworn personnel.

**II. DIRECTIVE**

BCSP employees will obey all laws and local ordinances of the State of Maryland or any other state when operating a BCSP vehicle assigned to them on a permanent or temporary basis. The procedures set forth in this general order apply to any violations that may occur in Maryland or any jurisdiction that has similar laws dealing with traffic control signal monitoring systems and/or speed cameras. This general order also applies to E-Z Pass and parking violations.

**III. DEFINITIONS**

“Agency” means (i): for a traffic control signal operated and maintained at an intersection under the control of a state, “agency” means the law enforcement agency having primary responsibility for traffic control at that intersection; or (ii) for a traffic control signal operated and maintained at an intersection under the control of a political subdivision, the law enforcement agency of the political subdivision that is authorized to issue citations for a violation of Maryland law or local laws or regulations.

“Automated Citation” means: any citation issued by a traffic control monitoring system or speed monitoring system, or a parking citation.

“E-Z Pass” means: the electronic system at toll facilities that debits accounts for vehicles equipped to be identified by the system as they pass through a designated toll booth.

“Speed Monitoring System” means: a device with one or more motor vehicle sensors producing recorded images of motor vehicles traveling at speeds at least 12 miles per hour above the posted speed limit.

“Traffic Control Signal Monitoring System” means: a device with one or more motor vehicle sensors working in conjunction with a traffic control signal to produce recorded images of motor vehicles entering an intersection against a red traffic signal indication.

“Speed Camera Violations” means: an automatic traffic enforcement camera designed to photograph the front and back of a speeding vehicle to aid in the arrest or ticketing of speeders who violate the designated posted speed limit.

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“Recorded images” means: images recorded by a traffic control signal monitoring system:

(i) on:

1. Two or more photographs;
2. Two or more microphotographs;
3. Two or more electronic images;
4. Videotape; or
5. Any other medium; and

(ii) Showing the rear of a motor vehicle and, on at least one image or portion of tape, clearly identifying the registration plate number of the motor vehicle.

**IV. PROCEDURES**

- A. Whenever a BCSP vehicle is issued an automated citation, the Motor Vehicle Administration (MVA) or speed enforcement vendor will mail the citation to the Baltimore City Board of School Commissioners (“Board”).
- B. When the citation is received the Board’s designee will forward the citation to the Chief Operating Officer. That office will determine the department which the vehicle that recorded the citation is assigned. To ensure timely processing of the citation, the Administrative Lieutenant will, within three calendar days of receipt, scan and forward the citation to the supervisor of the unit to which the vehicle is assigned with an endorsement that includes:
  1. The BCSP vehicle number and citation number;
  2. The operator on record for the vehicle, if applicable is required to relay applicable defenses within three calendar days to the Administrative Lieutenant. Defenses Include:
    - a. Responding to a call, tags or vehicle being stolen prior to the offense; operator yielding right of way to an emergency vehicle (including fire truck, ambulance); traffic control not positioned properly or in a way that an ordinarily observant individual would see it.
  3. A statement that informs the operator of the vehicle that he is personally responsible for resolving the citation by paying the fine by the due date on the citation or appearing in court.
  4. A statement that informs the operator of the vehicle that if late fees are incurred and it is determined that the employee was responsible for the delay in payment of the fine, the employee will be responsible for these fees.
  5. A requirement that the employee’s supervisor provide a written response to the Administrative Lieutenant, detailing the final disposition of the citation.
- C. When the operator of the vehicle is identified and employee’s supervisor determines that the vehicle was not being operated in the performance of a specific law enforcement

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function necessitating speed in excess of the posted speed limit, the supervisor will, within three business days of receipt of the citation from the Administrative Lieutenant contact the individual and conduct a personnel counseling form will be completed and the supervisor will obtain an administrative investigation tracking number from the Internal Affairs Division to facilitate tracking of the same or similar offenses in the future. Upon conclusion of the personnel counseling session, a form 95 will be completed and retained in accordance with established procedures. The supervisor will also inform the operator of the vehicle that the vehicle operator is personally responsible for resolving the citation by paying the fine by the due date listed on the citation or appearing in court.

- D.** If it is determined that the violation occurred while the officer was performing a specific law enforcement function necessitating speed in excess of the posted speed limit, a form 95 will be completed. The individual's supervisor will, submit the form within two business days to the Administrative Lieutenant who will send:
1. Send a letter to the chief of the agency that issued the citation explaining the circumstances of the violation and requesting that the citation be administratively voided. The letter will also request that the chief acknowledge the letter in writing and respond back to the Administrative Lieutenant before the due date stated on the citation. The Administrative Lieutenant should also follow-up with a telephone call if there is no response from the issuing agency.

**RULE - BALTIMORE CITY:** the camera generated traffic light citation process is administered by the City of Baltimore, Department of Finance, Collections Division, 410-396-4080.

2. For E-Z Pass violations send correspondence to: E-Z Pass Maryland Violation Processing Center, 1200 Frankfurt Avenue, Baltimore, Maryland 21226, or visit the website at [www.ezpassmd.com](http://www.ezpassmd.com).
  3. For speed camera violations, send Form 95 to the Automated Speed Enforcement Administrator for the jurisdiction that issued the citation. The Form 95 should briefly explain the circumstances of the violation and request that the citation be administratively voided.
- E.** If the request in Subsection D is denied by the issuing agency and the employee wishes to contest the citation, the employee may request to appear in court. The employee will be permitted to attend court on-duty. If the employee elects not to appear in court he will be responsible for paying the fine.
- F.** If the employee operating the vehicle at the time of the violation wishes to contest the citation, he will complete the portion of the citation dealing with contesting the citation and mail it to the address indicated on the citation. If the employee was off-duty when the violation occurred, he must use accrued vacation, personal or compensatory leave, if

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available, to attend court. In instances in which the officer has not accrued sufficient leave, the employee will be compensated to the extent of his available leave only for any court appearances related to the violation.

- G.** Employees will not wear their uniform, if applicable, when appearing in court whether they were on duty or off-duty when the incident occurred.
- H.** Within five calendar days of final disposition of the citation, by trial or payment of the fine, the employee's supervisor will provide a written update to the Administrative Lieutenant so he can close the file.
  - 1. For citations disposed of by payment of the fine, a copy of the cancelled check, money order receipt or other proof of payment will be forwarded to the Administrative Lieutenant.
  - 2. When a citation is administratively voided, a copy of the correspondence with the name of the individual who authorized the action will be forwarded to the Administrative Lieutenant.
- I.** Supervisors who observe a pattern of automated citations involving the same employee may, at their discretion, initiate an administrative IAD investigation in accordance with departmental protocol .
- J.** The failure and/or refusal by an employee to resolve an automated citation in accordance with this General Order may result in disciplinary action.