



GREENVILLE COUNTY  
SHERIFF'S OFFICE

GO - 223

# GENERAL ORDERS

# TRAFFIC ENFORCEMENT

## PURPOSE:

### Traffic law enforcement involves:

1. Activities or operations relating to observing, detecting, preventing traffic violations.
2. Taking action to effectively deal with traffic violations and collisions.
3. Arrests and citations.
4. Issuing written warning to drivers and pedestrians, in place of citations or arrests, to help prevent them from committing minor and inadvertent violations.
5. All uniformed members of the Sheriff's Office.

### Traffic enforcement can be:

- Reactive to observed violations at collision scenes.
- In response to community concerns.
- Proactive to prevent traffic violations.

**NOTE** - Overzealous enforcement without considering whether a violator is familiar with the legal requirements or without regard for circumstances surrounding a violation causes disrespect for the law and poor relations between the Sheriff's Office and the community.

## VISIBLE TRAFFIC PATROL:

**AREA PATROL** – Enforcement within a deputy's assigned area of responsibility.

**LINE PATROL** – Enforcement activity on a specific section of roadway.

**DIRECTED PATROL** – Involves supervisors directing enforcement efforts to an area or a line patrol, at a specific time for a specific violation.

**STATIONARY OBSERVANCE** – Covert or overt stationary observance may be used to observe traffic flow. When completing reports or participating in activities keeping them out-of-service, deputies are encouraged to park their marked patrol vehicles in conspicuous locations. Presence of a patrol vehicle is a deterrent. Using an unmarked vehicle or covert location may be the most advantageous way to handle a particular problem. Unmarked vehicles used for covert traffic surveillance are to be equipped with emergency blue lights and sirens.

**ENFORCEMENT****ACTION:**

**All motor vehicle stops are to involve one of the following three types of enforcement action:**

1. Warning ticket
2. Traffic citation
3. Physical arrest

**WARNING** – When issuance of a citation or physical arrest does not apply to a motor vehicle stop, a Public Contact/Warning Ticket is to be issued in accordance with SC Code of Laws § 56-5-6560.

**TRAFFIC CITATION** - A South Carolina Uniform State Traffic Ticket is issued to a violator who commits a hazardous moving violation or who is operating an unsafe and improperly equipped vehicle.

**PHYSICAL ARREST** – A deputy is to physically arrest traffic violators for the following:

1. Driving under the influence.
2. When a felony is committed involving a vehicle.
3. When a vehicle operator attempts to elude a traffic stop.
4. When the operator cannot produce sufficient identification to verify his identity and he is going to be charged with a violation.
5. When a deputy has reason to believe the violator will not comply with a courtesy summons, if issued.

**LEGISLATORS** - Are not immune from arrest or citation. They may be issued citations while enroute to legislative sessions, but are not to be physically arrested unless their condition would endanger the public (i.e., DUI). When physical arrest of a legislator is necessary, a supervisor is to be contacted.

**FOREIGN DIPLOMATS / CONSULAR OFFICIALS** - Traffic citations may be issued to diplomatic officials regardless of their rank or status. A diplomat's vehicle cannot be impounded or searched. Those with diplomatic immunity cannot be physically arrested. If the diplomat presents a continuing danger to the public (i.e., DUI), he or she can be detained until they can be safely taken care of by a consulate official. A supervisor is to be contacted. A full report including the diplomat's identity and circumstances of detainment is to be forwarded to the U. S. State Department. A copy of the same report is to be sent to the Accreditation Manager in Administrative Services for accreditation purposes. Refer to General Order 229 for information regarding foreign diplomats and consulate officials.

**MILITARY PERSONNEL** - Stationed outside of Greenville County, are to be treated as non-residents. If physical arrest is necessary, contact the Provost Marshall at the arrestee's assigned military base/installation after placing arrestee in detention.

**TRAFFIC CITATIONS:** **SOUTH CAROLINA UNIFORM TRAFFIC TICKET** – Ticket books are sequentially numbered and issued to the Sheriff's Office by the South Carolina Dept. of Public Safety or approved software thru the S.C. Dept. of Motor Vehicle and Public Safety for electronic tickets.

**TICKET BOOK** - Issued and logged-out to individual deputies by the Traffic Unit Supervisor or designee. The Uniform Patrol Commander may sign out tickets books from a Traffic Supervisor or designee for issue to a Uniform Patrol Deputy. The Uniform Patrol Commander will be responsible of notifying a Traffic Supervisor as to who the ticket book has been assigned to along with their star number.

Unassigned books are kept under lock and key.

**TICKET BOOK AUDITS** - Conducted every thirty days by a deputy's supervisor to ensure ticket disposition via v-connect. E-tickets are automatically audited by SCDMV approved software.

**UNIFORM TRAFFIC  
TICKETS ISSUED  
IN ELECTRONIC  
FORMAT:**

Pursuant to Section 56-7-30(B), deputies may be authorized to issue Uniform Traffic Tickets as provided in Section 56-7-10 which are completed and printed electronically. Deputies authorized to issue ticket in this manner will receive the required training and be issued the necessary in-car or handheld equipment. The same statutory provisions regulating the issuance of regular Uniform Traffic Tickets apply to the electronic tickets. Only software approved by SCDMV will be utilized for e-tickets by this agency. When a person is arrested on a General Sessions related traffic charges or Magistrate court charges, a copy of the e-ticket should be left with bond court for transmittal.

**COURT DATES  
ON UNIFORM  
TRAFFIC TICKETS:**

In order to comply with Section 56-5-6220, deputies will set Court dates for all offenses charged on Uniform Traffic Citations a minimum of ten business days from the date of the violation or arrest when issuing the citation. In accordance with the statute, the minimum ten day court date period begins on the day after the date of arrest.

**TICKET COPY  
DISTRIBUTION:**

**Written tickets are to include Star Numbers and be distributed in the following manner:**

1. **Blue – Violator’s Copy.** Given to offender.
2. **Green – Trial Officer’s Copy.** In accordance to 56-7-30, the green copy of any written citation issued to a violator must be reported electronically to the DMV within 3 business days. Therefore, it is required that personnel who issue a citation to a violator either take the green copy to Southern Area Command by 10:00 am of the following business day or to the Greenville County LEC by 8:30 am of the following business day. If using the LEC, the copy must be dropped in the box labeled "SAC" which is located inside of the Uniform Patrol office. Under the court appearance box of the citation, "Summary Court" must be entered and that box will not reflect the name of any particular magistrate. Additionally, the issuing deputy’s star number and academy number must be written on the citation, next to the deputy’s name, at the time when it is issued. When a person is arrested on a General Sessions related traffic charges or Magistrate court charges, this copy should be left with bond court for transmittal.
3. **White – Enforcement Records Copy.** When a subject is arrested and the charging document is the Uniform Traffic Ticket, whether General Sessions or Magistrates, the white copy will be transmitted to the Southern Area Command in place of the green copy, utilizing the same process as noted above for the green copy. For all non-custodial arrests and a uniform traffic ticket has been issued, the white copy will remain in the Deputy’s possession until the case is disposed and the court has written in the disposition. The white copy will be transmitted to SAC, following court disposition.
4. **Yellow – DMV Driver Records Copy.**  
This copy is turned into SAC after court disposition. For General Sessions charges, the yellow will be turned in with the white copy to SAC.

**TICKET LOG BOOKS** – Ticket logs will be kept electronically via v-connect and supervisors will review the log in accordance to ticket audit policy to maintain accountability of tickets. The court will be responsible to submit the disposition to SCDMV within 5 days per SC Law 56-5-30(a).

**South Carolina Code of Laws 56-7-15. Use of uniform traffic ticket to arrest person** Committing offense in officer's presence:

The uniform traffic ticket, established under the provision of Section 56-7-10, may be used by law enforcement officers to arrest a person for an offense committed in the presence of a law enforcement officer if the punishment is within the jurisdiction of magistrate's court and municipal court. A law enforcement agency processing an arrest made pursuant to this section must furnish such information to the State Law Enforcement Division as required in Chapter 3 of Title 23.

**LOST OR STOLEN TICKETS:**

Incidents of lost or stolen state tickets are documented by deputies in written reports to their supervisors describing circumstances of loss. After reviewing incidents of loss, supervisors require deputies to file sworn affidavits listing lost or stolen ticket numbers. These affidavits are sent to the Traffic Unit for transmittal to Columbia.

**VOIDED AND AMENDED TICKETS:**

**State tickets may be voided for the following reasons:**

1. Tickets completed improperly or damaged. It is a requirement to write a new ticket.
2. Blank tickets turned in that will not be reissued to another deputy.

**DISMISSED TICKETS:**

Only a trial judge or the Solicitor's Office can dismiss a ticket. A judge or solicitor is to sign the disposition block of the dismissed ticket.

**TICKET BOOKS AND MASTER TICKET LOGS:**

**DEPUTY TRANSFER –**

When a Deputy transfers divisions, he/she will keep their assigned ticket book.

**RESIGNATION / TERMINATION –**

1. For tickets with pending court dates, a supervisor of the deputy that has resigned or terminated will be responsible for handling the disposition of those cases.
2. Following disposition, the ticket book and master sheet will be given to a Traffic Unit supervisor.

**USE OF NONASSIGNED TICKET BOOK** - Deputies allowing others to write tickets in their books are to immediately notify their supervisor. The supervisor is to document the ticket number and name of the deputy who wrote the ticket. If at all possible, deputies are strongly urged to avoid writing tickets in another deputy's book.

**MAGISTRATES / CLERK OF COURT SIGNING TICKETS FOR DISPOSITION** – Without supervisor approval deputies are prohibited from leaving ticket books at magistrate offices or at the Office of the Clerk of Court for the purpose of signing dispositions.

**TRAFFIC ARREST WARRANTS:**

Arrest warrants instead of tickets apply in the following situations:

1. To place traffic charges against an individual who is not in custody.
2. To place traffic charges against an individual previously arrested and released.
3. All non-traffic General Session Court cases requiring arrest warrants.

Unless it is necessary to obtain an arrest warrant, the Uniform Traffic Ticket is used for traffic offenses adjudicated in General Sessions Court.

**PUBLIC CONTACT / WARNING TICKET BOOKS:**

In accordance with SC Code of Laws § 56-5-6560, Public Contact/Warning Ticket Books are issued to the Sheriff's Office by the South Carolina Department of Public Safety for motor vehicle stop data collection.

**WARNING TICKET DISTRIBUTION** - The Traffic Unit is responsible for maintaining and distributing Public Contact/Warning Ticket Books. Each warning ticket is two pages:

1. Driver copy
2. Agency copy – to be turned in to Southern Area Command or the ticket drop box in Uniform Patrol within seven days of the date of issue.

**DATA COLLECTION** – Monthly, the Selective Enforcement Division Traffic Lieutenant or designee is responsible for the transmittal of Public Contact/Warning Ticket data to the South Carolina Department of Public Safety. In order to comply with this statutory mandated requirement the Traffic Unit will compile the statistical information and transmit to the SCDPS.

**SPEED MEASURING DEVICES:**

All radar/lidar units used by the Sheriff's Office are to meet equipment specifications and performance standards prescribed by the National Highway Traffic Safety Administration (NHTSA). Operational procedures are to be in conformance with those recommended by NHTSA and the S. C. Criminal Justice Academy. Deputies are to be radar/lidar trained and certified if operating a unit in the field by successfully completing the SC Criminal Justice Academy speed measurement device course.

**The Traffic Unit Supervisor is responsible:**

1. Ensuring all radar/ lidar equipment is properly maintained and calibrated annually.
2. Maintaining maintenance records.
3. Maintaining calibration records.
4. Ensuring each radar/ lidar operator is certified.

**INDIVIDUALLY OWNED RADAR EQUIPMENT** – Field use must be approved by a deputy's supervisor. Equipment is to be calibrated yearly.

**ALLOWABLE VEHICLE SPEED TOLERANCE:**

In the enforcement of speeding laws, it is the policy of the Sheriff's Office to operate under an acceptable tolerance level depending on:

1. Zoning.
2. Traffic conditions.
3. Type of speed detection device used to detect a violation.

**Determining an acceptable tolerance level for speeding violations is based on the following:**

1. When using stationary radar, hand-held radar, moving radar or other electronic speed detection device, a standard speed tolerance of nine miles per hour above the posted speed limit is permitted.
2. Based on existing traffic conditions, the time of day, weather conditions and related variable factors, a deputy may increase/decrease the allowable tolerance level to facilitate the safe and orderly flow of traffic.

**AUTOMATED LICENSE PLATE RECOGNITION SYSTEM (LPR):**

Automated license plate recognition (LPR) systems, or license plate readers, assist with locating wanted vehicles while enhancing productivity, effectiveness, and officer safety. Only personnel that have been formally trained in the use and operation of the automated license plate reader will be allowed to access the equipment. The automated license plate readers and associated equipment is to be used for official law enforcement purposes only.

When using the automated license plate reader, the Sheriff's Office is granted permission to access NCIC files by the State Law Enforcement Division (SLED) with a current NCIC agreement that is on file. At the beginning of each shift, personnel will sign on the system using their individual user name and password. Personnel will assure that the most up to date data has been downloaded before use in the field.

Data obtained by the use of the automated license plate reader may contain confidential information; therefore it shall not be open for public viewing.

Sharing of information obtained by using the automated license plate reader will be for law enforcement purposes only.

The data captured using the automated license plate reader will be automatically transmitted to the agency's server. Only authorized personnel will have access to data that has been downloaded to the server. Data captured will be retained for a period of one year and then purged unless a longer retention period has been identified for court or investigative purposes.

Personnel will inspect the automated license plate reader for any damage and functionality before its use in the field. Any equipment that is found to be damaged or otherwise inoperable will be taken out of service until necessary repairs are made. Only agency authorized sources may repair hardware or software associated with the automated license plate reader. Personnel may clean the camera lenses with a glass cleaner or mild soap and water using a soft, non abrasive cloth.

**IMPAIRED DRIVER  
COUNTERMEASURES  
PROGRAM:**

Because a person operating a motor vehicle while under the influence is a hazard, all deputies are to operate proactively to remove impaired drivers from the highway. This agency's impaired driver enforcement program is designed to reduce the number of collisions involving alcohol or drugs.

**To achieve a reduction in impaired driver related collisions:**

1. Traffic supervisors assign personnel to patrol areas on days and during times of high DUI activity.
2. Traffic supervisors assign traffic checkpoints in areas on days and during times of high DUI activity.
3. Traffic deputies receive specialized training in DUI detection and apprehension.
4. Education and public awareness activities are conducted as part of the DUI counter measure program.

**TRAFFIC SAFETY  
CHECKPOINTS:**

**Traffic Safety Checkpoints include:**

- Driver's license and equipment checkpoints.
- Sobriety checkpoints.

**Traffic Safety Checkpoints are conducted to reduce:**

1. Property damage from vehicle collisions.
2. Injuries and fatalities caused by unqualified drivers.

3. Impaired drivers.
4. Collisions involving faulty/defective vehicle equipment.

**Guidelines for conducting a Traffic Safety Checkpoint:**

1. A location survey is to be conducted to determine signage or other equipment needed to properly conduct the checkpoint.
2. All checkpoints are to be approved by a supervisor.
3. Vehicles are to be checked in a sequential manner and not merely at random.
4. When a deputy detects a violation, he/she is to have the violator pull off of the roadway for further investigation.
5. All motorists are to be checked in a timely manner without causing any undue delay or burden.
6. A supervisor is to ensure the checkpoint is adequately staffed.
7. A checkpoint is to be documented with a written report, which is forwarded to the Traffic Unit for filing. The report is to include the location, date and time of the checkpoint, deputies involved, violations detected or cases made, and any other information deemed necessary to record.
8. At minimum, a Master Deputy is to oversee checkpoint operation.

It is the supervisors' responsibility to ensure that all deputies involved in the checkpoint understand its stated purpose and those applicable case laws governing said checkpoints are adhered to.

Checkpoints are also used for educational purposes: educating the public about minor offenses - such as minor equipment violations, and to explain how to effect corrections.

**INTERACTION  
WITH VIOLATORS:**

The purpose of enforcement action is to alter a violator's future driving habits. To accomplish this goal in a professional manner, deputies involved in traffic enforcement are to:

1. Always be conscious of their image, dress, grooming, language, and bearing.
2. Be certain of observations before initiating a traffic stop.
3. Be prepared with the necessary forms and supplies.
4. Use courteous and professional greetings when beginning conversation with a violator.
5. Initiate NCIC and local warrant inquiries using the violator's identification and vehicle registration information.
6. Explain to a violator the nature of the offense and why the activity is prohibited.

**TRAFFIC STOP  
OBJECTIVES:****Two (2) major objectives of a traffic stop:**

1. To take proper and appropriate enforcement action.
2. Favorably alter a violator's future driving behavior.

**Objective attainment depends on a deputy's ability to evaluate:**

1. A violator's state-of-mind.
2. A violator's physical condition.
3. Facts concerning the violation.

A thorough understanding of human relations and flexibility on the part of a deputy should minimize conflict between a deputy and violator. Refer to General Order 235 for additional information concerning traffic stop behavior.

**VEHICLE  
APPROACH:****When stopping a traffic violator, deputies are to:**

1. Call in the location, vehicle tag, vehicle description, and occupant descriptions. Pull completely off the roadway, if at all possible, but always keep the driver's door of the violator's vehicle in sight.
2. If at all possible, call in the tag number of the suspect vehicle before activating emergency lights and siren.
3. Always approach a stopped vehicle with caution, watching for both traffic approaching your side, as well as watching occupants of the stopped vehicle. Be on the alert for any sudden movements by the driver or occupants.
4. If vehicle occupants appear suspicious, take up a defensive position at the patrol vehicle's door and, using the public address system, order the driver to exit.

**NOTE** - At any time a deputy is aware of a weapon in a violator vehicle, they may initiate a felony car stop. If the driver or occupant is a known wanted felon, a felony car stop is mandatory.

**UNIFORM TRAFFIC  
LAW ENFORCEMENT  
GUIDELINES:**

**DRIVING UNDER THE INFLUENCE (DUI)** – After probable cause is established, the deputy administers a roadside sobriety test and any other test to determine if the subject is under the influence of alcohol or drugs. If a decision to arrest is made, all DUI violators, with the exception of foreign diplomats/consular officials, are to be physically arrested and transported for arraignment and booking.

**DUI AND REASONABLE SUSPICION** - A deputy is required to have reasonable suspicion to believe a driver is under the influence before signaling the vehicle to pull over.

After the vehicle stops, the driver is examined for the odor of alcohol, slurred speech, and other indicators of the influence of alcohol or other drugs before field sobriety tests are administered.

If probable cause exists to believe the offense of DUI has occurred, the driver is placed under arrest and transported for a breath test. Only a certified operator may administer a breath test and it must be video recorded.

If a DUI suspect refuses a breath test, a refusal form is completed and forwarded to the Traffic Unit Supervisor. All procedures involving the testing phase or refusal are governed by State statute.

If a licensed, responsible party is not readily available to take responsibility for a DUI offender's vehicle, then the arresting deputy is to request a wrecker service to tow the vehicle in for safekeeping. A Vehicle Impoundment and Inventory Record form is completed to document the tow.

**SPEEDING** - Speed violations are to involve speeds clearly convictable in court. It may depend on the location of the violation and the time (i.e., congested area, downtown, school zone, early morning hours and no other traffic on street).

**HAZARDOUS VIOLATIONS** – Consider the degree of the hazard, place and location's previous collision history.

**DRIVING UNDER SUSPENSION** - Whenever a driver's license status is confirmed suspended, the deputy may use discretion to handle the violator.

If a licensed, responsible party is not readily available to take responsibility for a DUS offender's vehicle, then the deputy is to request a wrecker service to tow the vehicle in for safekeeping. A Vehicle Impoundment and Inventory Record form is completed to document the tow.

If the driver of a vehicle is suspected of driving under suspension, but the driving record cannot be verified at the time, the deputy is to release the violator and continue to seek confirmation. If the report confirms suspension, the deputy is to obtain a warrant for the violation.

**EQUIPMENT VIOLATIONS** – Consider continued safe vehicle operation and general equipment condition, as well as the type of equipment defect. Most equipment violations are handled by issuing a written warning ticket.

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**PUBLIC CARRIER/COMMERCIAL VEHICLE OPERATORS -**

Are handled in the same manner as private passenger vehicles, with the exception of enforcing laws applying only to public carrier/commercial licensed drivers.

**NON-HAZARDOUS VIOLATIONS** – Consider written warning unless repetitive or flagrant.

**MULTIPLE VIOLATIONS** – If deemed necessary, the violator may be cited for all, but it is recommended to cite the most serious violation and warn on others.

**NEWLY ENACTED LAWS AND/OR REGULATIONS** – Normally, a grace period is established during which only warnings are given. Thereafter, the deputy will use discretion according to the circumstances.

**TRAFFIC CHARGE INFORMATION:**

A violator is to be provided with the minimum following information relative to a charge:

1. Court appearance date and whether appearance is mandatory.
2. Whether the motorist may enter a plea and/or pay the fine.
3. Any other important information before violator is released.

**IDENTIFICATION PROCESS:**

Offenses requiring creation of identification packets do not always require physical arrest and transport at the time citations are issued. If an offender is not taken into custody when a citation is issued, it is the issuing deputy's responsibility to ensure an offender is fingerprinted and photographed.

**NON-ROUTINE TRAFFIC OFFENDERS:**

**NON-RESIDENTS** - Deputies are urged to consider written warnings for non-residents, who are simply passing through the county, and commit minor, non-hazardous violations.

**JUVENILE TRAFFIC LAW VIOLATORS** - Juveniles are issued the same citation as an adult, as long as it can be handled in Magistrate's Court. Violations involving circuit court cases are referred to Family Court. Deputies are not restricted from referring any violation to Family Court, if they feel the situation could be handled better there.

**DRIVER****RE-EXAMINATION:**

Routine traffic enforcement, collision reporting, and investigative activities frequently lead to the discovery of drivers suspected of incompetence. Incompetence is usually a result of physical or mental disability, disease or other condition interfering with mental judgment and physical coordination. When such drivers are identified, the deputy involved is to obtain identification and driver's license information, and complete a Request for Driver Re-Examination form. This form is sent to Columbia and the Department of Motor Vehicles will follow-up with the licensed driver for re-examination. A copy of this form will be forwarded to the Traffic Unit.

**PEDESTRIAN / BICYCLE****SAFETY****ENFORCEMENT:**

The primary investigating agency for pedestrian or bicycle collisions on public roadways is the South Carolina Highway Patrol (SCHP). SCHP gathers collision data identifying causative factors. The Traffic Unit Supervisor obtains data from SCHP. With this information, deputies take preventive action whenever/wherever appropriate. The Traffic Unit incorporates this data into traffic safety programs presented in county schools.

**OFF-ROAD****VEHICLES:**

Deputies enforce applicable State statutes governing the use of non-licensed vehicles on public roadways. This includes dirt bikes, mini-bikes, and all-terrain vehicles.

**PARKING****ENFORCEMENT:**

Deputies enforce parking control regulations under applicable State statute and County Ordinances. This includes parking that obstructs public roadways, violations of handicapped only spaces, and blocking of fire zones.



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Hobart Lewis, Sheriff