

FLORIDA HIGHWAY PATROL POLICY MANUAL

	SUBJECT DRIVER LICENSE AND VEHICLE SAFETY INSPECTION CHECKPOINTS	POLICY NUMBER 17.07
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17.07.01 PURPOSE

To establish policy and uniform procedures for conducting driver license and vehicle safety inspection checkpoints.

17.07.02 POLICY

It is the policy of the Florida Highway Patrol to effectively enforce driver license, vehicle equipment safety and motor vehicle laws in a consistent and safe manner.

17.07.03 OBJECTIVES

- A. To review a large volume of vehicles and drivers for compliance under controlled situations.
- B. To establish authorization procedures for conducting driver license and vehicle safety inspection checkpoints.
- C. To establish media notification procedures for driver license and vehicle safety inspection checkpoints.
- D. To establish procedures for conducting driver license and vehicle safety inspection checkpoints.

17.07.04 PROCEDURES

A. AUTHORIZATION

All driver license and vehicle safety inspection checkpoints must be approved in advance by the District Commander, or if the highest ranking supervisor at a station is a Sub-District Commander, the checkpoint may be approved by the Sub-District Commander. The District or Sub-District Commander shall approve in writing the dates, time frame, location, and type of checkpoint. It is essential that a set of uniform guidelines be issued before a checkpoint can be utilized. Guidelines shall cover the procedures the members are to follow at the checkpoint, including; the procedures for selection of vehicles, detention techniques, duty assignments and the detention/disposition of vehicles. These

guidelines shall be written in the form of a Checkpoint Operational Plan as illustrated in Addendum 17.07-3.

B. MEDIA NOTIFICATION

The District or Sub-District Commander shall direct the Public Affairs Officer to prepare press releases for distribution to the local media advising that the Florida Highway Patrol shall be conducting driver license and vehicle safety inspection checkpoints. The Public Affairs Officer shall submit the press releases to the media in sufficient time to allow the checkpoints to be publicized at least one day before the date of any checkpoint to be performed. Examples of the press releases for driver license checkpoints and vehicle safety inspection checkpoints are illustrated in Addendum 17.07-1 and Addendum 17.07-2 respectfully.

C. DRIVER LICENSE AND VEHICLE SAFETY INSPECTION CHECKPOINT PROCEDURES

1. All driver license and vehicle safety inspection checkpoints shall be conducted during daylight hours for safety reasons, and during weather conditions that will not obstruct the visibility of the members or present a hazard to either the member or the motorist.
2. The Checkpoint Supervisor shall be present at all times during the checkpoint. During the pre-operation briefing, the Checkpoint Supervisor shall brief all checkpoint members present on the Checkpoint Operational Plan and whether a driver license or vehicle safety inspection checkpoint shall be conducted. The Checkpoint Supervisor shall also be responsible for ensuring that checkpoint procedures are followed by all members at the scene.
3. Members shall keep the degree of intrusion upon motorists and the length of detention of each driver to a minimum. All vehicle stops shall involve only the minimum detention necessary in order to accomplish the stated purpose of the checkpoint.
4. Members conducting a "**driver license checkpoint**" shall request the driver license and vehicle registration from each driver detained. If a driver is also the owner or registrant of the vehicle, the member shall also request proof of personal injury protection (PIP) insurance. Violations shall be enforced pursuant to Florida law and Division policy.
5. Members conducting a "**vehicle safety inspection checkpoint**" shall NOT request the driver license and vehicle registration from the driver. However, if the driver offers the license to the member, it may be reviewed. During this initial contact, if a driver license appears to be valid on its face, the Checkpoint Line Officer will consider it valid and no computer check will be made. Members shall inspect the following equipment of each vehicle for violations of Chapter 316, Florida Statutes.

- a. Horn.

- b. Windshield wipers.
 - c. Brakes.
 - d. Tail lamps.
 - e. Directional signals (Required on all vehicles manufactured after January 1, 1972).
 - f. Stop lamps.
 - g. License plate lamp.
 - h. Headlamps.
 - i. Steering mechanism.
 - j. Tires.
 - k. Exhaust system.
 - l. Other readily visible equipment (i.e. windshield, bumpers, etc.)
6. Members shall conduct either a driver license checkpoint pursuant to section C.4 above, or a vehicle safety inspection checkpoint pursuant to section C.5 above, as specified by the Checkpoint Supervisor at the pre-operation briefing. Members shall not conduct a driver license checkpoint with regard to some vehicles and a vehicle safety inspection checkpoint with regard to other vehicles stopped at the checkpoint. The purpose and procedures of the specific checkpoint must be consistently applied to all detained vehicles.
- a. Members may issue a Faulty Equipment Notice or a citation to a driver for any equipment violation that is readily apparent to the member when the vehicle is stopped at a "driver license checkpoint".
 - b. Members may issue a citation to the driver and/or passenger(s) for seatbelt violations (F.S.S. 316.614).
 - c. Members shall not conduct an equipment inspection of the vehicle if the purpose of the checkpoint is only to examine the driver's license, vehicle registration (and personal injury protection (PIP) insurance if driver is owner/co-owner).
7. During a driver license or vehicle safety inspection checkpoint, the Checkpoint Supervisor shall specify which vehicles are to be stopped (i.e., every third or every fifth vehicle).

8. Should the Checkpoint Supervisor determine that traffic is backing up and motorists are experiencing an unreasonable delay, the Checkpoint Supervisor may implement the contingency plan as provided in the Checkpoint Operational Plan. Any change in the selection of vehicles shall be documented by the Data Collection Officer.
 9. Uniform members of the Florida Highway Patrol Auxiliary may assist members conducting a checkpoint while acting under the direct supervision of the members.
 10. If a vehicle must be detained for lawful purposes (i.e., driver has been drinking alcoholic beverages and displays signs of impairment, the driver cannot immediately locate requested documents, drugs or contraband are in plain view), the Checkpoint Supervisor will be informed of the reason and the detained vehicle will be directed to the Officer Contact Area (designated area of the shoulder, parking lot, etc.) by the Checkpoint Line Officer, or driven to the Officer Contact Area by the Checkpoint Line Officer if the driver displays signs of impairment.
 11. If the driver is arrested, or the driver is unable to drive the vehicle from the checkpoint (i.e., driver is impaired, vehicle is seized under the Florida Contraband Act, or other valid law enforcement reasons), arrangements shall be made by the Checkpoint Line Officer to ensure the vehicle is towed or removed from the scene per FHP Policy 11.04 – Vehicle Towing/Impoundment, and shall notify the Checkpoint Supervisor.
- Note: Vehicles detained during the checkpoint will not be allowed to be left at the scene unattended without arrangements being made for their removal prior to members departing the checkpoint.
12. Checkpoints will be composed of one Checkpoint Supervisor, Checkpoint Line Officers depending on manpower availability, and one Data Collection Officer.
 13. The Checkpoint Supervisor at the checkpoint shall ensure completion of the FHP Driver License/Vehicle Safety Inspection Checkpoint After Action Report (HSMV 61234). The report will be submitted to the Deputy Director via the chain of command.

PRESS RELEASE

DRIVER LICENSE CHECKPOINTS

The Florida Highway Patrol will be conducting driver license checkpoints during the week of _____ on _____
DATE LOCATION
in _____ County.

Attention will be directed to drivers who violate the driver license laws of Florida.

The Patrol has found these checkpoints to be an effective means of enforcing the driver license laws of Florida while ensuring the protection of all motorists.

ADDENDUM 17.07-1

FLORIDA HIGHWAY PATROL

DRIVER LICENSE CHECKPOINT [VEHICLE SAFETY INSPECTION CHECKPOINT] OPERATIONAL PLAN

[DATE]

ADDENDUM 17.07-3

POLICY 17.07 - 7

FLORIDA HIGHWAY PATROL
Driver License Checkpoint
[Vehicle Safety Inspection Checkpoint]
DATE

Operation Objective:

The FLORIDA HIGHWAY PATROL will be conducting a Driver License Checkpoint [Vehicle Safety Inspection Checkpoint]. This operation will focus on the detection of improper or unsafe vehicle violations, seat belt and child restraint violations; or this operation will focus on ensuring that motorists operating vehicles on the roadways of the State of Florida are properly licensed and their vehicles are properly registered, in accordance with Florida Statutes, Chapters 316, 320, and 322.

Site Location: The location for the checkpoint will be [INSERT ADDRESS OR LOCATION NAME]. The primary location will be at [INSERT NAME OF BUSINESS OR LOCATION].

This location is described as follows: [INSERT LOCATION DESCRIPTION, i.e., a four lane road with two northbound lanes and two southbound lanes]. The posted speed limit for this area is [INSERT POSTED SPEED LIMIT]. This location is chosen based on [INSERT REASON FOR SELECTION OF THIS PARTICULAR LOCATION].

The following factors were considered in the selection of the site: visibility, roadway configuration, traffic volume, proximity to operating business, lighting conditions, the possibility of the need to administer field sobriety exercises, and motorist safety. Primary consideration was also given to officer safety. The checkpoint will not operate during periods of dense fog, visibility of less than 600 feet, during rainstorms, or after dark. The decision to conduct or cancel the checkpoint operation shall be made by the Checkpoint Supervisor.

1. SITE LAYOUT:

[INSERT SITE LAYOUT DESCRIPTION], i.e., "The northbound and southbound lanes of APPLE STREET will be divided with traffic cones, from the intersection of ORANGE STREET AND PECAN AVE. The traffic cones, 36" tall with double reflective collars, will be spaced approximately 15 to 20 feet apart, but no greater than 25 feet apart. Marked patrol cars will be stationed at the entrance of the checkpoint for driver awareness.

The ticket area, tow area, and the area where field sobriety exercises (if any) will be performed will be considered the Officer Contact Area.

Signs or marked patrol cars with flashing emergency lights will be posted prior to the checkpoint to alert drivers and avoid startling the motorists. Motorists who choose not to enter the checkpoint will be able to turn around.

Drivers who pass through the checkpoint and are not issued citations will be directed to move forward through the checkpoint, without further delay.

Drivers who pass through the checkpoint with noted violations will be directed to the Officer Contact Area.

ADDENDUM 17.07-4

2. CHECKPOINT STAFFING REQUIREMENTS:

- (a) Checkpoints will be composed of one Checkpoint Supervisor, Checkpoint Line Officers and one Data Collection Officer. The anticipated exact number of sworn officers and volunteers utilized will vary depending on site location and vehicle volume. The Checkpoint Supervisor will have the authority to combine job descriptions and/or to assign more than one person to a job assignment depending on available manpower and will do so before the checkpoint becomes operational.
- (b) All checkpoint members will be in full uniform and will wear traffic safety vests at all times while in public view.
- (c) Checkpoint members not actively involved in traffic control, log duties, or screening should position themselves to observe traffic from a position of safety and be immediately available to provide assistance as needed. Duties may be rotated periodically to prevent undue fatigue.
- (d) No food shall be consumed by any member of the checkpoint, while actively engaged in checkpoint duties.
- (e) The use of K-9 units will be limited. The use of a K-9 unit will only be allowed if there is an articulated basis, based on 'reasonable suspicion' to believe that a motorist (or a passenger within the motorist's vehicle) has violated Florida's drug laws. If the K-9 unit is going to be utilized, the Checkpoint Supervisor must be notified. The K-9 handler will not "walk" the K-9 around vehicles or persons "looking" for narcotics or other illegal activity / items unless use of the K-9 meets the criteria listed above. The K-9 handler will document each K-9 activity in their activity report.

3. JOB DESCRIPTIONS & ASSIGNMENTS:

Checkpoint Supervisor: The Checkpoint Supervisor is the lead member of a supervisory rank, designated to coordinate all checkpoint activities, including pre-operation / post-operation briefing, staffing, operations, and overall supervision. After the checkpoint has concluded, the Checkpoint Supervisor is additionally responsible for preparing a written report containing statistics, an evaluation of the operation and recommendations for future operations that will be forwarded to the Deputy Director via the chain of command.

Designated Checkpoint Supervisor Name: _____

Checkpoint Line Officers (CLOs): CLOs will be responsible for stopping all vehicles at the designated "stop area" and checking driver licenses and/or conducting vehicle inspections. CLOs shall not request the driver to produce a driver's license during a vehicle inspection checkpoint. However, if the driver offers the license to a member, it may be reviewed. During this initial contact, if a driver license appears to be valid on its face, the CLO will consider it valid and no computer check will be made.

ADDENDUM 17.07-5

The following introduction and follow-up statement should be given to each motorist by the CLO:

"Good morning [afternoon / evening], I am Trooper _____ of the Florida Highway Patrol. This is a driver license [vehicle safety inspection] checkpoint.

The CLO may take enforcement action on any violation of the law which he/she personally observes. If an impaired driver is suspected, the line member will be responsible for the investigation and arrest procedures (i.e., video and report).

When a violation is detected, the CLO will direct the suspect's vehicle to the Officer Contact Area and notify the communications center of the stop. Further investigation consisting of the standardized processing requirements for the appropriate offense shall be conducted at the Officer Contact Area.

When probable cause exists to believe that the driver has committed the offense of DUI, the driver will not be allowed to continue operating the vehicle: the driver will be secured and processed in accordance with Florida law and local procedures for DUI offenders.

When probable cause exists to believe that the driver or any passenger in the vehicle has committed an offense involving the possession or use of any **contraband drug**, the driver or passenger will be secured and processed in accordance with Florida law and local procedures for contraband drug offenders. Additionally, when reasonable suspicion exists to believe that the driver or any passenger in the vehicle has committed an offense involving the possession or use of any contraband drug, a K-9 officer may be requested to conduct a K-9 sniff of the vehicle in order to detect and locate contraband drugs.

The CLO will be responsible for securing any arrested person's vehicle. The CLO will ensure that a proper inventory is completed and the vehicle is towed from the Officer Contact Area per FHP Policy 11.04 – Vehicle Towing/Impoundment. The CLO is also responsible for placing a tow sheet with any arrested person's property and arrest package.

Designated Checkpoint Line Officer Names:

(Traffic Direction)

(Traffic Direction)

ADDENDUM 17.07-6

Data Collection Officer (DCO): The DCO shall be responsible for recording the number of vehicles which pass through the checkpoint, the number of vehicles stopped, the average length of delay, and violations committed, including arrests, written warnings and faulty equipment notices.

Designated Data Collection Officer: _____

EQUIPMENT:

- ___ Marked patrol units
- ___ Traffic safety vests
- ___ Digital/Video cameras
- ___ VHS cassette tapes
- ___ "Driver License Checkpoint" / "Vehicle Equipment Checkpoint" signs
- ___ Traffic cones
- ___ **Specify any other required equipment**

ADDITIONAL MANPOWER: Specify all additional assigned manpower:

___ Additional Uniformed Officers (other agencies or FHPA)

___ Other:

4. VEHICLE SELECTION TECHNIQUE AND VEHICLE SELECTION CONTINGENCY PLAN:

Two considerations used to determine the sequence of screening traffic at this location are (1) traffic volume and (2) the experience of the members of the checkpoint team.

Initially, every third vehicle will be stopped. The Checkpoint Supervisor shall monitor traffic to ensure that a back up of vehicles does not occur. If delays of more than three to five minutes occur, the Checkpoint Supervisor may order an alternate vehicle count.

Primary Method – every third vehicle
Alternate Method – every fifth vehicle

If the traffic conditions cause a back up that cannot be easily alleviated by the alternate vehicle count, the Checkpoint Supervisor may temporarily suspend the checkpoint until the back-up has been cleared. Once cleared, the checkpoint can be reactivated using the last vehicle count method that was in place.

The Checkpoint Supervisor shall use the following vehicle count for the re-activation of the checkpoint:

Allow five vehicles to pass through the checkpoint; the sixth vehicle will be the first vehicle counted using the vehicle count established by the Checkpoint Supervisor at the time the checkpoint was suspended.

ADDENDUM 17.07-7

In addition to suspending the checkpoint for the alleviation of backed-up traffic conditions, the checkpoint may also be suspended for any of the following reasons:

- (a) Shortage of sworn law enforcement "manpower" to maintain a safe checkpoint for the traveling motorists, general public, media, sworn officers, checkpoint staff and/or others that are participating in or conducting the checkpoint,
- (b) Allowing an emergency vehicle to pass through the checkpoint (emergency lights and/or siren activated),
- (c) An exigent or emergency situation,
- (d) Unfavorable or unsafe weather conditions, and
- (e) Any other extreme condition or situation that may arise and immediate suspension of the checkpoint is necessary for the safety of the traveling motorists, general public, media, sworn officers, checkpoint staff and/or others that are participating in or conducting the checkpoint as deemed by the Checkpoint Supervisor.

Any suspension, reactivation or deviation of the checkpoint from the established operational plan shall be documented in the After Action Report.

5. VEHICLE AND DRIVER SCREENING:

- (a) All vehicles and drivers, regardless of type, that enter the checkpoint shall be subject to screening. This shall include commercial vehicles, buses and large trucks. Emergency vehicles, operating in the scope of their duties, shall be exempt from the screening. Fire Rescue and Ambulance Services shall be notified in advance of the location and time of the checkpoint. Should an emergency vehicle approach and/or enter the checkpoint with its emergency lights and/or siren operating, they shall be moved through the checkpoint safely and without delay.
- (b) Vehicles and drivers shall not be stopped on a discretionary basis (i.e., due to the "looks" of the vehicle or its occupant(s)).
- (c) Depending upon the configuration of the checkpoint and traffic volume, two or more CLOs shall be provided for each checkpoint lane. If possible, the CLOs can assist each other, one acting as the contact officer and the other as a backup officer. The CLOs can alternate positions to prevent fatigue.

6. ALTERNATE SCHEDULING DATE:

In case of inclement weather or the unavailability of the Checkpoint Supervisor, the checkpoint shall be rescheduled and held on _____.

ADDENDUM 17.07-8

7. AFTER ACTION REPORT/CRITIQUE:

Upon conclusion of the checkpoint, the Checkpoint Supervisor will prepare an After Action Report that will be forwarded to the Deputy Director via the chain of command. The report shall contain an evaluation of the operation and recommendations for future operations. As a minimum, the following information will be gathered during the checkpoint operation and forwarded to the Deputy Director:

- Date/Location of checkpoint
- Checkpoint evaluation
- Recommendation(s) regarding future operations
- Delay Periods (number of occurrences and delay time)
- Number of motorists stopped
- Number of vehicles waived through checkpoint
- Number of arrests by offense
- Number of written warnings
- Number of faulty equipment notices
- Copy of press releases
- A list of media outlets notified prior to checkpoint

Note: The operational plan and all related documents shall be filed in a checkpoint notebook by the Checkpoint Supervisor and retained for four years from date of the operation. The notebook shall be identified by troop, date and location of checkpoint.

DETAIL BRIEFING

All members participating in the checkpoint are required to attend a pre-operation briefing and post-operation briefing. The following verification shall be implemented to document each of the briefings:

- Pre-operation briefing attendance. I have read the checkpoint operational plan, received a copy, and understand all portions contained within the plan.

Date: _____ Time: _____ Prepared By: _____

Sign Name	Print Name
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

- Post-operation briefing attendance. (Note: Same roster may be used for the post-operation briefing. Please note any deviations in the post-operation attendance on this form or in the post-operation after action report.)

ADDENDUM 17.07-9

Date: _____ Time: _____ Prepared By: _____

DRIVER LICENSE / VEHICLE SAFETY INSPECTION CHECKPOINT REVIEW:

Approved Date: _____

Disapproved Date: _____

District/Sub-District Commander

ADDENDUM 17.07-10