

## Traffic Citations

### **516.1 PURPOSE AND SCOPE**

This policy outlines the responsibility for traffic citations, the collection of data, the procedure for dismissal, correction and voiding of traffic citations.

### **516.2 RESPONSIBILITIES**

Employees of this department shall use the state of Arizona uniform traffic ticket and complaint form for traffic complaints (ARS § 28-1557(A)).

The Records Section shall be responsible for the issuance and accounting of all traffic citations provided to employees of this department pursuant to ARS § 28-1557(C).

Citations will be kept in a secure location and issued to officers by Records Section staff. Officers will sign for the citation books when issued and the Records Section will maintain a receipt for each book issued.

Officers shall return to the Records Section (ARS § 28-1558(D)):

- (a) Each traffic citation issued to an alleged violator of a traffic law or ordinance.
- (b) Copies of each traffic citation that is spoiled or on which any entry has been made and not issued to an alleged violator.

#### **516.2.1 DATA COLLECTION**

The Records Section should maintain information relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

- The race or ethnicity of the individual detained.
- Whether a search was conducted and, if so, whether the person detained consented to the search.

The Records Section should submit an annual report to the City of all traffic citations for conducting monthly audits as required pursuant to ARS § 28-1560(B).

### **516.3 DISMISSAL OF TRAFFIC CITATIONS**

Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued. Any request from a recipient to dismiss a citation shall be referred to the court of jurisdiction.

Should an officer determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate, the officer may request the prosecutor to dismiss the citation. Upon dismissal of the traffic citation by the court, the officer shall notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required.

Only the court has the authority to dismiss a citation that has been deposited with a court (ARS § 28-1558(B)).

# Peoria Police Department

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#### **516.4 DISPOSITION OF TRAFFIC CITATIONS**

The court and file copies of all traffic citations issued by members of this department shall be forwarded to the employee's immediate supervisor for review. The citation copies shall then be filed with the Records Section.

Upon separation from employment with this department, all employees who were issued traffic citation books shall return any unused citations to the Records Section.

#### **516.5 NOTICE OF PARKING VIOLATION APPEAL PROCEDURE**

Disposition of notice of parking violation appeals is conducted pursuant to Arizona law.

#### **516.6 JUVENILE CITATIONS**

Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile's age, place of residency and the type of offense should be considered before issuing the juvenile a citation.