

BLOOMINGTON POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

VIOLATOR COMPLIANCE PROGRAM

Reviewed by: Officer Michael Luedtke	Effective Date: October 1, 2008
Authorized by: Chief Clay Wheeler	Revision Date: May 28, 2019

PURPOSE

The primary objective of this program is to allow violators to comply with equipment violations without going through the court system, actually paying a fine and having a violation on their driving record.

PROCEDURE

The following are guidelines that have been established for the Violator Compliance Program:

1. Equipment violations, expired registration stickers, and failure to show proof of insurance may be written as compliance violations. Primary equipment violations would include all lights, windshield and wipers, mufflers, tires, bumpers, suspension systems and obstructed registration plate violations.
2. No out-of-state violators will be eligible for the compliance program option nor will any local residents having an out-of-state registration license on the vehicle.
3. All vehicles will be inspected at the Police building parking lot except those which are not practical to bring to the building.
4. Equipment violations being the contributing cause of any accident will not fall under the compliance program.
5. The issuing officer will have the discretion, at the time of issuance, to use the compliance program or to send the citation through the court system. The compliance program is an alternative program to offer a service to the citizen; however, it is not mandated by the department.

When a vehicle is seen operating on the city streets with an equipment violation(s), the officer shall stop the vehicle, whenever practical, and issue a Uniform Traffic Ticket. While issuing the citation, the officer shall explain to the violator that the ticket will be held at the Bloomington Police Department for no more than seven (7) consecutive days. During that seven day period, the violator can get the necessary repair done and bring the vehicle to the Police Department for inspection by a patrol commander or desk officer. If the necessary repair(s) has been made to the vehicle so it complies with the law, the citation will be voided and returned to the records division.

If the repaired vehicle is not brought to the Police Department in seven days, the citation will be processed like other citations and sent to the court system for the usual processing as a traffic violation. This will be accomplished on the eighth day. A file folder, numbered 1 through 31, can

be found at the front desk of the Police Department. To process the U.T.T.'s issued under this program, the following program has been developed:

1. When a U.T.T. is issued under this program, the issuing officer will place all the copies of the ticket, except those given to the violator, in the folder. The ticket will be filed under the number corresponding with the eighth (8th) day from the date the ticket was written: Example: ticket written Jan. 4 will be placed under the number "12."
2. When a violator arrives at the Department and complies with repairing the discrepancy, the desk officer will take the ticket out of the folder, get the violator's copy, attach all copies together and write "COMPLIANCE" across the ticket with the date and desk officer's initials. It will then be returned to the records division.
3. The CSO will check the folder each day to determine whether there are any tickets left in the file which were not complied for each day's date. Any tickets left will be processed as a regular traffic ticket.

Example: If the date is Jan. 4, any tickets left under "4" in the file will be processed. The court copies will go to court and the green "POLICE RECORD" copy will be placed into the traffic records hanging mail basket.

BOND

When issuing a U.T.T. under the Compliance Program, the motorist will be asked to sign the Promise To Comply. If the violator insists upon posting a cash bond for a compliance ticket, it no longer falls into the compliance category and must be treated as a regular U.T.T. with an explanation to the violator that the ticket will be filed with the court system. This applies to money orders as well. All forms of bond, except an I-Bond, shall be stapled to the upper right hand corner of the back of the 3rd (i.e., "Court Disposition") copy together with the green (i.e., "Police Record") copy.

MULTIPLE CITATIONS

Whenever more than one violation is written to a violator for violations in which a compliance citation would not apply, the Compliance Program CANNOT BE USED. All tickets shall remain together and be processed together. If the violation involves another compliance ticket, all tickets shall be written and shall be placed into the folder along with bond as described above.

EXTENSIONS

Whenever an officer feels an extension to the seven day rule applies, he shall attach a note to the compliance ticket explaining the reason and length of extension (no more than 3 days) and place it into the compliance folder under the number corresponding to the appropriate day from the date the ticket was written. These may be reviewed by any shift supervisor.