Traffic and Parking Tickets

504.1 PURPOSE AND SCOPE
This policy outlines the responsibilities for issuing, correcting, and voiding traffic and parking tickets.

504.2 POLICY
It is the policy of the Town of Cheektowaga Police Department to enforce traffic laws fairly and equally. Authorized members may issue a traffic ticket, parking ticket, or written or verbal warning based upon the circumstances of the contact and in the best interest of the motoring public and community safety.

504.3 ACCOUNTABILITY
The Traffic Lieutenant shall be responsible for the supply and accounting of all traffic and parking tickets issued to members of this department. Tickets will be kept in a secure location and issued to members by the Accident Investigation Unit. Members will sign for the ticket books when issued or upon return of unused tickets.

Members of the Town of Cheektowaga Police Department shall only use department-approved traffic and parking ticket forms.

504.3.1 WRITTEN OR VERBAL WARNINGS
Written or verbal warnings may be issued when the department member believes it is appropriate.

504.4 TRAFFIC TICKETS
Carbon copy T-Sleds are ordered and maintained by the Traffic Unit Lieutenant and issued by the NYS Department of Motor Vehicles. Upon receipt of the UTT's the supervisor will verify the inventory and maintain a sign out log for their distribution. This hand written ticket may be used when the primary TraCS system is unavailable or when there is a violation not listed in TraCS. Officers issuing hand written T-Sleds will issue the yellow copy to the offender, white copy will be forwarded to the AIU division and the remainder of the UTT will be submitted to the court for processing.

504.4.1 CORRECTION & VOIDING
Voiding a traffic ticket may occur when the ticket has not been completed or when it is completed but not issued, or needs a correction and has to be reissued. All copies of voided tickets will be submitted to the Traffic Lieutenant.

504.4.3 DISPOSITION
Upon separation from appointment or employment with this department, all members who were issued traffic ticket books shall return any unused tickets to the Accident Investigation Unit.

504.4.4 JUVENILE TICKETS

Juveniles caught violating the Vehicle and Traffic Law will be taken either to the Cheektowaga Police Department and their parent or guardian notified to respond to the Police Department to take custody of the juvenile; or the juvenile will be taken home and released to a responsible adult. No traffic summons will be issued to any juveniles in regards to any traffic offense.

When a juvenile is involved in a traffic offense that requires the towing of the vehicle, that vehicle will not be released to friends or other members of the party, unless one is a responsible adult and / or family member.

504.4.5 DATA COLLECTION

The Town of Cheektowaga Police Department automatically submits data to the commissioner of the New York State Department of Motor Vehicles, via the TraCS program. The reporting shall contain a summary as to the status of all traffic tickets issued by the Town of Cheektowaga Police Department. (15 NYCRR § 91.10).

Any lost tickets or ticket packets that are listed in the above report must be supported with a written report by the member who lost the ticket or ticket packet (15 NYCRR § 91.11).

504.5 PARKING TICKET APPEALS

Parking tickets may be appealed in accordance with local and state law.

504.6 ELECTRONIC TICKET SYSTEM PROCEDURES

Patrol Officers will primarily use the TraCS system for issuing traffic summonses. Each officer will have their own password protected login for which they are responsible.

504.6.1 ELECTRONIC TICKET SYSTEMS ADMINISTRATOR

The Chief of Police has designated the Traffic Lieutenant as the Electronic Ticket Systems Administrator and all traffic summonses.

504.6.2 ACCOUNTABILITY & DUTIES OF THE ADMINISTRATOR

The electronic ticket system administrator is accountable for:

- Coordinating routine and periodic software updates of the ticketing software.

- Updating the system databases including, but not limited to, all violation codes in use, bail schedule and court appearance information.

- Completing routine maintenance and damage repair of devices.

- Overseeing the periodic upgrade and replacement of devices as wear and system requirements mandate.

- Monitoring data transfers from the ticketing devices to the Town of Cheektowaga Police Department servers, to the courts of jurisdiction for the issued ticket and to any state-mandated receiver. This includes the timely transmittal of the data as per the defined schedule.

- Reviewing data on common user error and providing feedback for use at briefings.

- Analyzing data on common system errors and providing feedback to the system vendor for correction.

- Reviewing TraCS logs on a regular basis for any voided or unsent ticket and make necessary corrections.

- Reconciliation of DMV and Department records for any discrepancies. Said records will be maintained according to NYS and Departmental retention schedules.

504.6.3   VOIDING AN ELECTRONIC TICKET (TRACS)
Once an electronic ticket is generated it may not be deleted from the system or device. If a member generates a ticket in error, the member will notify their immediate supervisor or the Traffic Lieutenant, within 72 hours of issuance. The police officer will give an explanation as to the reason why. When the electronic ticket system administrator receives a request for deletion, the administrator will validate the request with the member's supervisor and complete the void process.

504.7   DIPLOMATIC IMMUNITY
When a person with diplomatic immunity is involved in a traffic violation the officer will proceed as per the foreign and diplomatic consular representative policy.