

	LANE COUNTY SHERIFF'S OFFICE POLICY	Number: G.O. 9.03
		Issue Date: March 21, 2005
		Revision Date:
CHAPTER : Traffic Operations		Related Policy: G.O. Chapter 9 (Traffic Operations)
SUBJECT: Issuance of Multiple UTC's		Related Laws: ORS Chapters 801 through 8.26

POLICY: Deputies will act reasonably and within the limits of their authority as defined by statute and judicial interpretation, insuring that the rights of both the individual and society are protected.

RULE: None

PROCEDURE:

I. Issue Citation For Most Serious Violation

- A. When a deputy observes a driver commit more than one violation during a single act of driving, the deputy may issue a citation for the most serious violation observed. For example, if the violations were exceeding the maximum speed limit and an improper lane usage. An option would be to cite the individual for the violation of exceeding the maximum speed limit. The deputy may issue a warning for the other violation or attach a memo to the citation to be forwarded to the judge to describe the other violations observed. The courts have uniformly agreed that they appreciate learning of these additional details surrounding the offenses cited for.
- B. In the case of a major traffic offense arrest, (such as DUII Reckless Driving, or Attempt to Elude) such individual violations as fail to yield or excessive speed, may be included in the basic major charge and reflected in the report.
- C. In the case of numerous equipment violations, the deputy may issue one citation for the most serious violation, and issue a warning for the other equipment violations.

II. Situation When Multiple Citations Are Justified

- A. Multiple major traffic offenses may be charged when applicable, and elements of the offenses do not clearly overlap. For instance, a driver could conceivably be charged with DUII, DWS, Hit and Run, and Attempting to Elude. The field

supervisor will be contacted prior to charging more than two major traffic offenses.

- B. In addition to a major offense or moving traffic violation, nonmoving or equipment violations may be evident, such as:
 - 1. No driver's license
 - 2. Failure to display proof of insurance
 - 3. Inadequate muffler system
- C. In these cases, an additional citation may be issued for the unrelated offense. The deputy should, however, especially with the case of minor equipment violations, consider the use of a warning as an alternative.

III. Citations To Juveniles Under 14

- A. It has been the Circuit Court judges' policy to dismiss minor infractions issued to a juvenile 14 years or younger when the driver is not old enough to possess a driving permit.
- B. In this scenario:
 - 1. Warning citations and a conference with the parents would be an acceptable procedure.
 - 2. A report forwarded to the Juvenile Justice Court is an additional acceptable procedure.