




**WINCHESTER POLICE DEPARTMENT OPERATION ORDER**

**NOTE:** This policy is for internal use only and does not enlarge an employee’s civil liability in any way. It should not be construed as the creation of a higher standard of safety or case in an evidentiary sense, with respect to third party claims. Violation of this policy, if proven, can only form the basis of a complaint by this Department, and then only in a non- judicial administrative setting.

Number <b>2-80</b>		Effective Date <b>March 8, 2024</b>	Review Date <b>March 6, 2024</b>	Reviewing Division <b>Administration</b>
Subject <b>Autonomous Traffic Enforcement</b>	References	<input checked="" type="checkbox"/> New Policy  <input type="checkbox"/> Amends  <input type="checkbox"/> Replaces:		This policy shall apply to personnel assigned to the following divisions:  <input checked="" type="checkbox"/> All Personnel  <input type="checkbox"/> Patrol Division  <input type="checkbox"/> Administration Division  <input type="checkbox"/> Investigation Division
 <hr/> Chief of Police or Designee				<hr/> <b>March 8, 2024</b> Date

**I. PURPOSE**

The purpose of this policy is to establish guidelines and procedures for the Winchester Police Department’s use of Autonomous Traffic Enforcement (ATE) devices.

**II. POLICY**

The Winchester Police Department may utilize Autonomous Traffic Enforcement devices to enhance the public safety services provided to the Winchester community. These ATE devices may include but are not limited to School Zone Speed Cameras and School Bus Stop Arm Cameras.

**III. DEFINITIONS**

A. Autonomous Traffic Enforcement (ATE) System

An automated vehicle recognition system used to capture traffic violations. ATE systems detect and record violations for speeding and school bus stop arms. The captured data includes vehicle make, type, color, and license plate, which is securely integrated with DMV databases for automated registered owner retrieval. While the system is “automated” each violation requires verification by a sworn law enforcement officer.

B. School Zone Speed Camera

A camera that is active during designated school zone times, utilized to capture speed violations committed by those traveling through the school zone.

C. School Bus Stop Arm Camera

A camera that captures violations when a school bus stop arm is activated, and the bus is equipped with the required lettering and warning devices per the law.

IV. **PROCEDURES**

A. Authority

The use of ATE systems operate under the guidelines set forth in the Code of Virginia.

B. Speed Enforcement

Speed cameras shall enforce violations that occurred at 10 or more miles per hour over the posted speed limit when school zone speeds are in effect.

C. School Bus Stop Arm Enforcement

School bus stop arm cameras shall enforce violations when a motor vehicle fails to stop and remain stopped for a conspicuously marked school bus whose stop arm is extended, and warning devices are activated.

D. Certification of Violations

1. Sworn employees trained in the ATE system may certify violations.
2. A certificate, or a facsimile thereof, sworn to or affirmed by a law-enforcement officer, based upon inspection of photographs, microphotographs, videotapes, or other recorded images produced by a photo speed monitoring device, shall be prima facie evidence of the facts contained therein, per the Code of Virginia.

E. Winchester Police Department Employee Violations

1. Violations incurred by employees during the performance of their duties while operating a City-owned vehicle shall be investigated in accordance with department policy.
  - a. Employees who incur a violation shall be financially responsible for all costs, fines, and penalties.
2. Sworn employees who incur violations while response driving to an emergency shall not be financially responsible for any fines or costs associated with speed camera violations that occur during their response.
3. For violations involving other city owned and operated vehicles, guidance can be found in CEMS-032.

F. Administration

1. The agency should designate an employee(s) with administrative oversight for the ATE system. These responsibilities include but are not limited to the

following:

- a. Verification of all violations reported in the ATE system.
- b. Serve as liaison between the department and ATE servicer for repairs or updates as needed.
- c. Keep apprised of all school closures or delays that may impact photo enforcement.

G. Records

1. Per the Code of Virginia, any records collected by Autonomous Traffic Enforcement devices shall be exclusively limited to that information that is solely necessary for the enforcement of violations.
2. All information collected under this program pertaining to a specific violation shall be purged and not retained later than sixty (60) days after the collection of any civil penalties.
3. Per the Code of Virginia, the department shall report to the Department of State Police annually on the number of traffic violations prosecuted, the number of successful prosecutions, and the total amount of monetary civil penalties collected.