


<p>RABUN COUNTY SHERIFF'S OFFICE</p>  <p>General Order Number: 6.10</p>	<p>Date of Issue</p> <p>2/23/2016</p>	<p>Effective Date</p> <p>2/23/2016</p>	<p>Revision Date</p>
<p>Subject: SPEED DETECTION DEVICES</p>	<p>Amends:</p>		<p>Rescinds:</p>
<p>Index as: Speed Detection Devices Uniform Patrol Division</p>	<p>State Certification Standards: 1.28</p>		
<p>Special Instructions:</p>			

PURPOSE

The purpose of this General Order is to prescribe the policies and procedures of the Rabun County sheriff's Office regarding the use of Speed Measuring Devices by personnel of the department.

STATEMENT OF POLICY

It shall be the policy of the Rabun County Sheriff's Office that all speed measurement devices used by personnel of this department are used in accordance to appropriate statute requirements and accepted law enforcement procedures.

DISCUSSION

All personnel who use speed measurement devices, as a part of their duties with the Rabun County Sheriff's Office shall be properly trained before they are authorized to use the equipment. Personnel will be required to demonstrate their competence with each device under field performance tests.

DEFINITIONS

D.P.S. — The Department of Public Safety

ROAD — The portion of a highway that includes both the roadway and the shoulder.

ROADWAY — The portion of a highway, improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder.

STATIONARY OBSERVATION — Traffic observation at a selected place, usually one with an unfavorable accident experience or traffic flow problem, for traffic law enforcement purposes-especially to detect violations and deter possible violators.

I. SPEED MEASURING DEVICES

- A. Departmental personnel will only utilize speed-measuring devices that meet or exceed the performance specifications established by the Georgia Department of Public Safety. (O.C.G.A. 40-14-1)
- B. No speed measuring device shall be operated until the appropriate application for a permit has been made by the county's governing authority and the subsequent approval and authorization received from the Georgia Department of Public Safety. (O.C.G.A. 40-14-3)
- C. No speed-measuring device shall be operated:
 - 1. Within 500 feet of the county's warning signs advising motorists that speed detection devices are being employed; (O.C.G.A. 40-14-6)
 - 2. From a concealed vehicle or one that is not visible to approaching motorists for at least a distance of 500 feet; (O.C.G.A. 40-14-7)
 - 3. Within 300 feet of a reduction of speed limit sign inside an incorporated municipality or within 600 feet of a reduction of speed limit sign in the unincorporated areas of Rabun County; (O.C.G.A. 40-14-9)
 - 4. Within a period of 30 days following the posting of a revised or new speed limit sign; (O.C.G.A. 40-14-9)
 - 5. On any roadway which has a grade in excess of seven (7) percent; (O.C.G.A. 40-14-9)
 - 6. Without being certified for compliance by a technician possessing a certification as required by the Department of Public Safety; (O.C.G.A. 40-14-4) or
 - 7. For any reason other than for the promotion of the public health, welfare, and safety. (O.C.G.A. 40-14-11).
- D. Speeding citations shall only be initiated if the violator's speed:
 - 1. Exceeds the posted speed limit by more than ten miles per hour unless the speed is too fast for prevailing conditions;

2. Is more than the posted limit by any amount within a marked school zone one hour before, during, or after normal hours of school operation;
 3. Is in a properly marked road construction zone; or
 4. Exceeds the posted speed by any amount within a residential zone that has a marked limit of less than 35 miles per hour. (O.C.G.A. 40-14-8)
- E. The precise method for using a radar unit and the enforcement of those laws applying to speed will vary in accordance with the type of equipment used. Generally, the following procedures shall apply:
1. The equipment must be properly installed and operated according to the manufacturer's specifications;
 2. The effective range of the unit must be thoroughly understood by the operator so visual observation can support the speed readings; and
 3. Any unit not meeting the manufacturer's minimum accuracy requirements shall be removed from service and shall not be used until it has been serviced, tested, and re-certified by a qualified technician. (O.C.G.A. 40-14-5)
- F. Proper care and upkeep shall be performed by the operator, as specified by the equipment's manufacturer, and shall include cleanliness, daily inspections, and necessary follow-up action to correct any noted deficiencies.
- G. Programmed Maintenance will be the responsibility of the Uniform patrol Division Commander. He or she is responsible to ensure that appropriate and necessary maintenance and testing are performed; that operational records are developed for each assigned speed detection device; and that such records are maintained for suitable introduction as evidence in court. Programmed maintenance shall be performed when stipulated by the manufacturer or at least on an annual basis, which ever occurs sooner.
- H. The operator shall test the device for accuracy and record and maintain the results of the test at the beginning and end of each duty tour. (O.C.G.A. 40-14-5)
- I. Records shall be maintained for each unit to include:
1. Statement of origin and accuracy;
 2. All tests performed, including the time, date, and results of test; and
 3. All reported defects and repairs.
- J. Operator Training and Certification
1. Deputies who operate speed-measuring devices must first successfully complete an initial basic operator program and receive certification training. (O.C.G.A. 35-8-12).
 2. Such training shall include:
 - a. Familiarization with the theory of operation of speed detection devices;

- b. Instruction on speed detection equipment characteristics and operation by a properly trained and certified instructor;
 - c. At least 16 hours of in-car on-the-job instruction detecting, tracking, and documenting violations under the direct supervision of an experienced certified operator or instructor;
 - d. Demonstrated equipment proficiency to the instructor;
 - e. Successful completion of all required written test; and
 - f. Satisfactory compliance with all minimum requirements specified by the GA P.O.S.T. Council.
- K. Deputies who operate speed detection devices should be prepared to testify to the following in court:
- 1. The time, place, and direction of the vehicle, its description, and the speed of the motorist as displayed on the unit of equipment;
 - 2. That the defendant's vehicle was identified as the violator vehicle to the exclusion of other traffic on the roadway;
 - 3. That the defendant was the individual operating the vehicle within the boundaries of Rabun County;
 - 4. That the equipment was operating properly;
 - 5. That the device was checked before and after the violation by an approved calibration method; and
 - 6. Establish operator qualifications and training.



By Order of the Sheriff: **Chad K. Nichols**
Sheriff, Rabun County