



**Division of State Patrol
Policy and Procedure**

Number
4-1

Subject SPEED ENFORCEMENT AND EQUIPMENT	
Author/Originator Bureau of Field Operations	Approved by <i>Anthony L. Burrell</i> Superintendent
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I. POLICY

It is the policy of the Division of State Patrol (DSP) that police traffic speed enforcement tools be utilized at locations where speed is a major contributing cause of crashes and where the environment permits its effective use. These tools shall be used, maintained and tested for accuracy on a scheduled basis in accordance with the provisions of this policy.

II. BACKGROUND

Division personnel utilize various speed detection devices, including Radio Detecting and Ranging (RADAR), Light Amplification by Stimulated Emission of Radiation (LASER), Visual Average Speed Computer and Recorder (VASCAR), stopwatches and speedometer. The DSP also utilizes a RADAR device designed specifically for checking the accuracy of speedometers, called a speedmeter. This policy addresses issues that arise with the implementation of these technologies.

III. OBJECTIVE

The objective of this policy is to establish parameters for the effective use of speed enforcement tools and speedometer certification devices by properly trained and certified State Patrol personnel and includes:

- A. Operator training and certification in accordance with the National Highway Traffic Safety Administration, Wisconsin Department of Justice Training and Standards Bureau and the Division of State Patrol.
- B. Guidelines for proper care and maintenance.

- C. Operational procedures.
- D. Procedures for maintaining records.

IV. GENERAL PROVISIONS

- A. When operating speed detection devices, patrol vehicles parked **on** the highway right-of-way must be visible from at least 500 feet in accordance with s. 346.51 (1)(b) and while parked immediately **adjacent** to the roadway during hours of darkness, patrol vehicles shall display parking lamps in accordance with s. 347.27 (1)(b)(3). Patrol vehicle parking lights may be turned off during hours of darkness when operating speed detection devices in a highway maintenance crossover which is signed prohibiting use by the general public and the parking does not create an undo hazard.

Patrol vehicles should not be parked on private property when operating speed detection devices without the permission of the property owner or tenant. When operating speed detection devices outside the patrol vehicle, operators must follow rules for pedestrians in accordance with s. 346.29(2).

- B. Enforcement of zoned speed limits utilizing speed detection devices is permissible when:
 - 1. There is at least one clearly visible speed advisory sign prior to entering the zone limited to a lower speed; and,
 - 2. In the judgment of the trooper/inspector, the distance between the advisory sign, the speed limit sign, and the enforcement location is sufficient to allow traffic to decelerate from the higher limit without braking; and,
 - 3. The personnel operating the speed detecting devices are certified in accordance with operational guidelines established by the Division.
- C. LASER, VASCAR and RADAR speed detection devices that are funded under the Motor Carrier Safety Assistance Program (MCSAP) grant shall be utilized within the guidelines of that grant and 49 CFR Part 18. Unless otherwise indicated, the requirements and procedures identified within this policy are applicable to the issuance, operation and maintenance of MCSAP-funded speed detection equipment.
 - 1. The Motor Carrier Enforcement Section Chief or designee will oversee the issuance and assignment of MCSAP-funded speed detection equipment to the Motor Carrier Enforcement Section (MCES) work units.
 - 2. MCSAP-funded speed detection equipment shall only be issued to Commercial Vehicle Safety Alliance (CVSA) certified MCSAP inspectors.
 - 3. The MCES shall maintain an inventory of MCSAP speed detection equipment.

- D. Requests for demonstrations will be forwarded to the Region Commander or to the Director of the Bureau of Field Operations. Demonstrations or presentations will be given by a region/post instructor, when available. Other certified operators may provide this service as approved by the Region Commander and instructor.
- E. Requests for training of county/municipal officers in the use of speed detection equipment will be coordinated with the State Patrol Academy, region/post Speed Enforcement Coordinator, and approved by the Region Commander or designee.

V. PROCEDURE – RADAR, LASER AND VASCAR

- A. Region Commander or Designee
 - 1. Appoint a region/post Speed Enforcement Coordinator to assign speed detection devices, maintain records, and provide a secure location to store speed detection devices.
 - 2. Appoint a region/post Speedmeter Coordinator and speedmeter technicians.
 - 3. Ensure that all officers acting as part of the traffic enforcement program have been properly trained in the use of the assigned speed detection equipment.
 - 4. Ensure those officers operating speed detection devices are annually (every twelve months) recertified in the operation of their respective devices.
- B. Region/Post Speed Enforcement Coordinator
 - 1. Assign speed detection devices to troop (work unit) sergeants.
 - 2. Maintain a record of speed detection devices, assignments, and outage reports.
 - 3. Report to the Division Speed Coordinator all newly acquired equipment and outages when repairs are not completed at the post level.
 - 4. Supervise the filing of RADAR logs, if used, according to region/post standard operating procedures.
- C. Troop Sergeant
 - 1. Assign speed detection devices within the troop to ensure proper utilization of equipment.
 - 2. Inspect speed detection devices periodically to ensure proper care and maintenance.

3. Ensure that speed detection devices are operated in accordance with all applicable statutes, Division directives, and that operator recertification tests are administered by qualified personnel, as required.

D. Officer

1. Test, operate, and maintain the speed detection device according to the manufacturer's recommendations and Division training guidelines, taking precautions to prevent damage.
2. Report equipment outages to the region/post Speed Enforcement Coordinator using Equipment Outage Report (SP4106).
3. Inspect the speed detection device for proper working condition.
4. Remove equipment that is not permanently mounted from patrol vehicle when left unattended and in public view for extended periods of time.
5. Complete a Daily RADAR Log, if used by the region/post, and distribute copies according to region/post Standard Operating Procedure (SOP).
 - a. Use of the Daily RADAR Log will be determined by the needs of the District Attorney in each individual county and directed by region/post SOP.
 - b. If the Daily RADAR Log is not utilized, it is important that the officer issuing the citation record adequate information in the narrative portion of the citation to show that *Hanson* and other judicial requirements for moving and stationary RADAR were met. These would include:
 - 1) Serial numbers of the RADAR unit and tuning forks.
 - 2) Calibration checks before and after the arrest.
 - 3) Verification of patrol speed.
 - 4) Other pertinent tracking history information.
6. Include operator's manual, equipment accessories, and storage case when transferring speed detection devices to another trained officer.

E. Speed Enforcement Training

1. Operators shall be certified in the use of police traffic RADAR, LASER, and VASCAR prior to taking enforcement action with these devices.

2. Operators shall be certified in the use of police traffic RADAR prior to becoming certified in the use of police traffic LASER.
3. Operators shall be certified in the use of VASCAR prior to utilizing the VASCAR portion of LASER.
4. Operators must complete training in the use of “same direction” RADAR prior to utilizing that capability of the RADAR.
5. Personnel shall participate annually in a recertification process in order to maintain a valid operator status for police traffic RADAR, LASER, and VASCAR.
6. Personnel who fail the annual recertification test will be decertified as an operator but allowed to retake the test within 30 days after remedial training and practice. Until recertified as an operator of the respective speed detection device, enforcement action using the device is prohibited.
7. If an operator fails a recertification test a second time, the operator shall complete the prescribed **basic operator course** to resume use of the respective equipment (RADAR, VASCAR, and/or LASER) for enforcement.
8. If after retraining, an operator again fails the written test or final evaluation, the operator would be allowed to continue recertification attempts at the discretion of the Wisconsin State Patrol Academy (WSPA) Commander.
9. Previously certified operators who are separated from a specific program (use of RADAR, VASCAR and/or LASER equipment for enforcement) and return within three years must successfully complete the initial certification written test and evaluation for that proficiency to reclaim operator status.
10. Previously certified operators who have separated from a specific program for three years or longer must successfully complete all phases of the basic operator course for that program to achieve operator status.
11. Operators may be eligible for instructor certification provided they:
 - a. Are trained and certified in the device.
 - b. Have a minimum three years of sworn experience.
 - c. Successfully complete an approved instructor development program.
 - d. Successfully complete the required Probationary Training and Development Program (DSP Personnel).
12. Variations to this policy may be considered by the WSPA Commander.

VI. SPEEDMETER

A. Region/Post Speedmeter Coordinator

1. Assign the speedmeter to a region/post technician, providing them with sufficient time to annually certify both Division and county/municipal agency speedometers.
2. Periodically (at least twice every twelve months) inspect the speedmeter(s) for cleanliness and defects.
3. Provide a secure location to store the speedmeter.
4. Provide a sign-out log or other means to track the device at the storage site.
5. Maintain a current file of Speedometer Certification Cards (SP4028).
6. Certify the training of the region/post technician(s). NOTE: All assigned speedmeter technicians must be currently certified as a police traffic RADAR operator.
7. Complete and forward current certified training roster to the Wisconsin State Patrol Academy.

B. Region/Post Speedmeter Technician

1. Obtain the speedmeter and sign for it on the provided log.
2. Coordinate with the vehicle operator the time and location to verify the speedmeter's accuracy in accordance with manufacturer's recommendations and training guidelines.
3. Deny certification if the speedometer does not comply with Trans 305 requirements of +/- 4.0% accuracy at all speeds between 40-65 mph and notify the appropriate supervisor of unacceptable deviation in speedometer accuracy.
4. Test the speedometer for accuracy. Refer to the Speedmeter Technician's Manual for specific instructions.
5. When other law enforcement agencies request speedometer certification of their vehicles, all pertinent State Patrol policies will be followed.
6. Complete the Speedometer Certification Card (SP4028) and distribute copies according to the Speedmeter Technician's Manual (Wisconsin State Patrol Academy 45-1).

7. Maintain the speedometer as directed in the Speedometer Technician's Manual (Wisconsin State Patrol Academy 45-1).

C. Vehicle Operator

1. Ensure that speedometer certification tests are performed as necessary (when vehicle is initially placed into service by the Division, when deviation in speedometer accuracy is detected, and following repairs to the speedometer, transmission, or changes in tire size).
2. Arrange for speedometer certification following repairs to the speedometer, transmission, or whenever tire size is changed.
3. Arrange for speedometer repair when unacceptable deviations in speedometer accuracy are detected.
4. Carry and make accessible the Speedometer Certification Card (SP4028) within the vehicle and for court.

D. Division Speed Enforcement Coordinator

1. Inspect the speedometer annually.
2. Receive and facilitate the repair of speedometers.
3. Complete annual frequency certification of the speedometer and tuning forks.

E. Wisconsin State Patrol Academy

Coordinate speedometer technician training with the Division Speed Enforcement Coordinator.

VII. Stop Watches

A. Personnel who utilize stop watches to determine vehicle speed must be VASCAR trained and certified.

B. Operator:

1. Operate the stopwatch according to the manufacturer's recommendations and training guidelines.
2. The timing function of the device must be checked every 60 days following the instructions on SP4154, Stopwatch Certification.

VIII. REFERENCES

SP4028, Speedometer Certification Card
SP4106, Equipment Outage Report
SP4154, Stopwatch Certification
WI Stats Ch. 346 and 347
RADAR Operator Training Manual
LASER Operator Training Manual
Speedmeter Technician's Manual/WSPA 45-1
Wisconsin vs. Lawrence I. Hanson 85 Wis. 2d 233, 270, N.W. 2d 212 (1978)