

MOTOR VEHICLE LAW CHECKING STATIONS

A. Purpose. Checking stations are established pursuant to G.S. 20-16.3A and are established and operated for the purpose of ensuring compliance with North Carolina's motor vehicle code. All officers of this Department are required to comply with this policy when participating in a checking station established by this Department. When participating in checking stations with other law enforcement agencies, the checking station plan shall control.

B. Authorization: The checking station shall be approved by a _____ or higher authority. Authorization shall include the location and duration of the checking station. The authorizing official shall designate an officer to be the on-site supervisor of the checking station. The on-site supervisor shall be responsible for briefing all officers participating in the checking station on the establishment and operation of the particular checking station, as well as the officer's responsibilities during its operation.

C. Location: The location of a checking station shall be random or statistically indicated. Checking stations placed repeatedly in the same location or proximity should be avoided. The site for every checkpoint shall be selected with due regard for the safety of motorists and the officers conducting the checking station.

D. Notification to Public: The public shall be advised that an authorized checkpoint is being conducted by having, at a minimum, one law enforcement vehicle with its blue lights activated at all times during the operation of the checkpoint. Signs, lights, cones and other warning devices may be used but are not required.

E. Personnel: Officers will wear the Department's official uniform, including reflective traffic vests, at all times while participating in the checking station

F. Pattern for Stopping Vehicles: The pattern for stopping vehicles shall be to stop every vehicle. The on-site supervisor of the checking station may alter this pattern in the event of unreasonable traffic delays or other factors that create a hazard. The alteration of the pattern shall consist of permitting all vehicles to pass through the checkpoint until the delay or hazard is abated. The altered pattern must insure that no individual officer is given discretion as to which vehicle is stopped.

G. Pattern for Requesting Information: The pattern for requesting documentation is that the drivers of every vehicle stopped shall be requested to produce their driver's license and registration. The on-site supervisor of the checking station may alter this pattern if unreasonable traffic delays or other hazards occur. The altered pattern must insure that no individual officer is given discretion as to what documentation a given driver is required to produce.

H. Reasonable Suspicion: During the course of a stop at a checking station, if an officer determines that there is reasonable suspicion to believe that a driver or other occupant has

violated a provision of Chapter 20 or other provision of law, the officer may detain that driver or occupant for a reasonable period of time in order to investigate further.

I. Alcohol Screening Device: The driver of any vehicle may be requested to submit to an alcohol screening test under G.S. 20-16.3 if during the stop the officer determines that the driver had previously consumed or has an open container of alcoholic beverage in the vehicle. The officer so requesting shall consider the results of any alcohol screening test or the driver's refusal in determining if there is reasonable suspicion to investigate further.