


<p align="center"><b>FAIRFAX COUNTY POLICE DEPARTMENT</b></p>  <p align="center"><b>GENERAL ORDER</b></p>	<p>SUBJECT: <b>SPEED MEASUREMENT DEVICES</b></p>		<p>NUMBER: <b>510</b></p>
	<p>EFFECTIVE DATE: August 1, 2023</p>	<p>REVIEW: August, 2026</p>	
<p>RESPONSIBLE ENTITY: OPERATIONS SUPPORT BUREAU</p>			<p><input type="checkbox"/> New Directive <input type="checkbox"/> Replaces: <input type="checkbox"/> Revised: 08-11-22</p>
<p>ACCREDITATION STANDARDS</p>	<p>CALEA: 61.1.5, 61.1.6, 61.1.8</p>		
	<p>VLEPSC: OPR.07.03</p>		

## I. PURPOSE

The purpose of this General Order is to establish guidelines and procedures for all officers in the use of speed measurement devices.

## II. POLICY

It is the policy of the Fairfax County Police Department (FCPD) that speed measurement devices be utilized by officers to ensure motorist compliance with posted speed limits and thus promote public safety on the highways of Fairfax County. Speed enforcement measures shall be performed with due regard for the safety of both officers and members of the public, and RADAR and LIDAR equipment shall only be used in a manner that (1) seeks to reduce motor vehicle crashes on roadways at specific locations where the cause of crashes can be attributed to excessive speed, (2) reduces speeding on roadways identified through common knowledge and community member complaints verified through officer on-site evaluations where the violations present a public hazard, and (3) conduct evaluations at locations where the posted speed limit may be deficient. Commanders and supervisors shall prohibit speed enforcement at any location where operation is either impractical or presents substantial hazard to either officers or members of the public.

## III. DEFINITIONS

- A. Light Detection and Ranging (LIDAR): Speed detection device that works on the time of flight principle.
- B. Radio Detection and Ranging (RADAR): Speed detection device that emits pulses of high-frequency electromagnetic waves reflected off an object and directed back to the source.

- C. **Stationary Enforcement:** The process by which an officer, standing outside of their police vehicle, determines approaching vehicle speed through the use of a RADAR or LIDAR device and uses hand signals to direct the violator to the side of the roadway for enforcement purposes.

#### IV. **GENERAL RADAR/LIDAR PROCEDURES**

- A. **General Requirements:** The use of RADAR and LIDAR by officers shall be in strict accordance with the Code of Virginia and standards set forth by the Virginia Law Enforcement Professional Standards Commission (VLEPSC). Commanders and supervisors shall periodically monitor RADAR/LIDAR operation by officers to ensure compliance with Department policy.
- B. **Certification Requirements:** RADAR/LIDAR enforcement shall only be conducted by officers who have attended and successfully completed the Department's Speed Measurement Operator Course or approved substitute training that meets the Virginia Department of Criminal Justice Services (DCJS) training standards. Officers who have not successfully completed this training may issue RADAR/LIDAR citations only under the direction of a certified operator.
- C. **Uniforms, Equipment, and Stopping Procedures:** Officers conducting stationary speed enforcement shall be attired in full uniform, to include hat/helmet, traffic safety vest, and whistle. Officers shall use overtly apparent hand signals and their whistle whenever signaling a vehicle to pull over.
- D. **Deployment Sites:** RADAR/LIDAR may be deployed by officers at any location with a legally enforceable and posted speed limit. Generally, there should be no more than three (3) officers located at a RADAR/LIDAR enforcement site and the site should provide adequate sight distances for the operator of any vehicle to observe and safely follow the hand signals of the officer. Adequate space shall be provided at all sites to park police vehicles and direct violators out of traffic flow.
- E. **RADAR Antennas:** RADAR antennas should only be aimed at target vehicles, not obstructed by body parts, vehicle components, or other objects, and turned off or placed in "standby" mode when not in use. RADAR antennas inside of police vehicles should be securely mounted for purposes of officer safety and aimed directly out of the front or rear windshields. Cables should be secured to avoid entanglement with the steering column or other vehicle components.
- F. **Known Distance Locations:** Station commanders shall ensure that a "known distance" location is established at their respective district station. Alternative sites shall also be established at the Operations Support Bureau (OSB) and Fairfax County Criminal Justice Academy (FCCJA).

1. Officers shall perform LIDAR accuracy checks at these locations before and after any shift where LIDAR is utilized. These locations shall be certified by the County surveyor at six (6) month intervals, and the original certifying document shall be notarized and kept at the Court Liaison office. Copies of the certifying document shall also be sent to each station and to the Resource Management Bureau (RMB).
2. Certified RADAR/LIDAR officers shall also measure the “known distance” location with a steel tape measure for courtroom testifying purposes.

G. **Restrictions:** Restrictions on the use of RADAR and LIDAR are as follows:

1. **Staffing Needs:** Supervisors shall prohibit the use of RADAR/LIDAR enforcement events where it would adversely impact availability of staffing for minimum patrol needs and timely answering of calls for service.
2. **Grades:** Officers should not conduct RADAR/LIDAR enforcement at the foot of a grade. Where complaints are received from community members, or motor vehicle accidents can be directly attributed to excessive speed at these locations, an on-site inspection shall be conducted by a first-line supervisor prior to the authorization of RADAR/LIDAR for speed enforcement purposes.
3. **Location Restrictions:** Stationary RADAR/LIDAR enforcement locations shall not be shadowed, under bridges or overpasses, nor obstructed by trees, branches, or tall grass. Officers shall not select locations where they are back-lit by the sun while facing into the direction of traffic they are monitoring nor establish stationary enforcement locations at the crest of a hill, around a curve, or in a location where obstacles would prevent the violator from clearly observing the officer. Stationary RADAR/LIDAR enforcement shall never be conducted in work zones nor during hours of darkness.
4. **Minimum Speed Requirements:** Officers shall not stop, nor cite, RADAR/LIDAR motorist violations that occur under ten (10) miles per hour (MPH) over the posted speed limit. Station commanders may waive this restriction either under or over the posted speed limit based upon the individual circumstances of a particular location.

V. **PATROL OFFICER STATIONARY ENFORCEMENT PROCEDURES**

- A. Patrol officers shall only conduct stationary RADAR/LIDAR enforcement with the approval of their first-line supervisor. Whenever conducting stationary enforcement, officers shall mark out on “**TRAFENF**” events via the Computer Aided Dispatch (CAD) or by police radio.

- B. Stationary RADAR/LIDAR enforcement by patrol officers shall only be used on roadways with no more than two (2) lanes of travel in the same direction and with posted speed limits not in excess of 35 MPH.

#### VI. TRAFFIC DIVISION STATIONARY ENFORCEMENT PROCEDURES

- A. Only those officers specially trained and currently assigned to the Traffic Division may conduct stationary RADAR/LIDAR enforcement on roadways with posted speed limits above 35 MPH, but not in excess of 50 MPH.
  - 1. For posted speed limits between 40 and 50 MPH, officers should conduct enforcement measures in tandem whenever possible and shall be limited to roadways with no more than two (2) lanes of travel in the same direction and shall step no more than one travel lane away from the shoulder of the roadway when signaling a violator to pull over.
  - 2. For posted speed limits 35 MPH and lower, officers may conduct stationary enforcement on roadways with no more than three (3) lanes of travel in the same direction and shall step no more than two (2) travel lanes away from the shoulder of the roadway when signaling a violator to pull over.
- B. Traffic Division officers shall complete “Step-Out” training provided by the Traffic Division prior to conducting Step-Out enforcement.

#### VII. RADAR AND LIDAR EQUIPMENT

- A. All RADAR/LIDAR equipment utilized by officers for speed enforcement purposes shall be approved by the State Division of Purchases and Supply and either meet or exceed the DOT/NHTSA Speed-Measuring Device Performance Specifications: Down-the-Road Radar Module and LIDAR Speed-Measuring Device Performance Specifications.
- B. RADAR tuning forks shall be certified for accuracy every six (6) months by an approved vendor. Tuning fork calibration certifications shall be forwarded to Court Liaison and properly filed for officer use in court presentations.
- C. Only those RADAR and LIDAR units on the IACP's Conforming Product List shall be purchased in accordance with both federal regulations and the Code of Virginia. RADAR and LIDAR sets in need of repair or service shall be taken to a Department contracted vendor or returned to the original manufacturer.

## VIII. AUTOMATED SPEED ENFORCEMENT DEVICES

- A. **Authority:** The Automated Speed Enforcement Program operates under the organizational control of the Traffic Division within OSB in accordance with the [Code of Virginia](#).
- B. **Speed Enforcement Threshold and Warning Period:** Speed cameras shall enforce violations occurring at 10 or more miles per hour over the posted speed limit. Prior to implementation, there will be a 30-day initial warning period established for motorists.
1. **FCPD Employee Violations:** Violations incurred by employees during the performance of their duties while operating County-owned or leased vehicles shall be reported, documented, and investigated in accordance with [FCPD Regulation 204.15](#), Traffic Citations While Operating County-Owned Vehicle. Sworn employees who incur speed camera violations while response driving to an emergency situation in accordance with [FCPD General Order 503](#), Response Driving, shall not be financially responsible for any fines or costs associated with speed camera violations that occur during their response.
- C. **Photo Speed Enforcement Sign Placement:** A conspicuous sign shall be placed within 1,000 feet of any school crossing zone or highway work zone at which a photo speed monitoring device is used, indicating the use of the device.
- D. **Training Requirements:** The current automated speed enforcement vendor shall train selected officers in certification of automated speed enforcement violations. The Traffic Division Commander, or their designee, shall ensure documentation is made of the training and retained until three (3) years beyond the last date the officer certified a violation.
- E. **Certification of a Violation:** Officers trained in certifying automated speed enforcement violations may certify a violation by either (1) remotely accessing the current automated speed enforcement vendor's website from the Traffic Division's offices, or (2) with approval from the Traffic Division Commander, remotely from home or other locations. 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 considered prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotapes, or other recorded images evidencing such a violation shall be made available for inspection in any proceeding to adjudicate potential liability for specific speeding violations that occur within either [school crossing zones](#) or [highway work zones](#) in accordance with the [Code of Virginia](#).

- F. **Holiday Schedule:** Photo speed enforcement shall not take place during any recognized Fairfax County holiday.

**Note:** The current automated speed enforcement vendor will typically close whenever the Fairfax County Government is closed due to inclement weather.

IX. **CERTIFICATION OF RETENTION POLICY COMPLIANCE**

- A. **Restrictions on Information Collection:** Per the [Code of Virginia](#), any records collected by a photo speed monitoring device shall be exclusively limited to that information that is solely necessary for the enforcement of school crossing zone and highway work zone speeding violations.
- B. **Protection of Collected Information:** Any FCPD employee who operates a photo speed monitoring device and subsequently acquires information on a potential violator shall ensure that the individual's personal information is protected in a Department-approved database and used solely for purposes of speed enforcement. Notwithstanding any other provision of law, all photographs, microphotographs, videotapes, or other recorded images collected by a photo speed monitoring device shall only be used exclusively for enforcing school crossing zone and highway work zone speed limits and shall not be (i) open to the public; (ii) sold or used for sales, solicitation, or marketing purposes; (iii) disclosed to any other entity except as may be necessary for the enforcement of school crossing zone and highway work zone speed limits or to a vehicle owner or operator as part of a challenge to the violation; or (iv) used in a court in a pending action or proceeding unless the action or proceeding relates to a violation of the Code of Virginia [§ 46.2-873](#) (Maximum speed limits at school crossings; penalty) or [§ 46.2-878.1](#) (Maximum speed limits in highway work zones; penalty), or such information is requested upon order from a court of competent jurisdiction.
- C. **Purging and Disclosure of Records:** 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. The FCPD shall be required to annually certify compliance with Code of Virginia and make all records pertaining to such system available for inspection and audit by the Commissioner of Highways or the Commissioner of the Department of Motor Vehicles or their designee. Any employee who unlawfully discloses personal information shall be subject to potential personal civil liability.
- D. **Annual Reports:** The current automated speed enforcement vendor will be required to produce an annual report / database query certifying compliance in accordance with the Code of Virginia. The OSB Commander or their designee shall report to the Department of State Police by January 15<sup>th</sup> of each year on the (1) number of traffic violations prosecuted, (2) number of successful prosecutions, and (3) total amount of monetary civil penalties collected.

X. LEGAL REFERENCES

- A. [Va. Code Ann. § 2.2-1112](#); Standardization of materials, equipment, and supplies.
- B. [Va. Code Ann. §46.2-873](#); Maximum speed limits at school crossings; penalty.
- C. [Va. Code. Ann. §46.2-878.1](#); Maximum speed limits in highway work zones; penalty.
- D. [Va. Code Ann. § 46.2-882](#); Determining speed with various devices; certificate as to accuracy of device; arrest without warrant.
- E. [Va. Code Ann. §46.2-882.1](#); Use of photo speed monitoring devices in highway work zones and school crossing zones; civil penalty.
- F. U.S. Department of Transportation, Federal Highway Administration (FHWA) [Manual on Uniform Traffic Control Devices \(MUTCD\)](#).

General Order 510 becomes effective on the above date and rescinds all previous rules and regulations pertaining to the subject.

ISSUED BY:

  
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Chief of Police

APPROVED BY:

  
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County Executive