



Memorandum

DATE: April 23, 2010
TO: Christine May-Stafford, Chief of Police
FROM: Francis J. Lynam, Town Administrator 
SUBJECT: Police Policies

This memo will serve to confirm that the Board of Selectmen, at their meeting of April 20, 2010 voted to approve your request to establish a Zero Tolerance Policy for safety belt violations.

If you have any questions, or should you require any additional information, please do not hesitate to contact this office.

FJL/lo

ZERO TOLERANCE POLICY FOR SAFETY BELT VIOLATIONS

| | |
|--|-----------------------------|
| POLICY & PROCEDURE NO. 5.04 | ISSUE DATE: 4/15/10 |
| | EFFECTIVE DATE: 5/1/2010 |
| MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 61.1.5 | REVISION DATE: _____ |

POLICY

The use of seat belts and subsequent enforcement of their usage will be the mission of all police department personnel. The issuance of civil penalties over written warnings is the preferred disposition for violations of M.G.L. ch. 90, §13A, and ch. 90 §7AA. A "Zero Tolerance" approach will be the desired goal of enforcement.

It should be noted that violations of M.G.L. ch. 90, §13A, "Seat belt use required" and ch. 90 §7AA, "Child passenger restraints," are **not deemed to be a conviction of a moving violation** for the purpose of assessing insurance surcharge premiums.

PROCEDURE

Duties and Responsibilities

1. All violations will be recorded by means of a written citation with a copy being recorded in the department IMC records.
2. During EOPSS 'Click It or Ticket' mobilizations the proper records and procedures will be adhered to.
3. Prior to the conclusion of each seat belt targeted patrol all citations and records shall be completed.

Whitman selectmen adopt tough stance on seat-belt use

By Allan Stein

ENTERPRISE CORRESPONDENT

Posted Apr 21, 2010 @ 01:52 AM

Last update Apr 21, 2010 @ 09:31 AM

WHITMAN —

If you're driving in town, you better buckle up.

Selectmen on Tuesday adopted a zero-tolerance policy for driving without a seat belt in Whitman, in keeping with the state Department of Public Safety's "Click It or Ticket" grant program.

The board voted 3-0 to implement the new policy on the recommendation of Police Chief Christine May-Stafford.

Under the policy, anyone in Whitman caught driving without a seat belt will be issued a civil citation, "as opposed to a warning," May-Stafford said.

Each seat belt infraction carries a \$25 fine, May-Stafford said.

In Massachusetts, police can only issue seat-belt citations when they have stopped a vehicle for another reason.

May-Stafford said the state Department of Public Safety has asked all police departments to adopt the zero-tolerance policy as part of a statewide seat belt mobilization initiative.

Last summer, as part of the Click It or Ticket program, state police and 240 police departments launched an effort to target drivers and passengers not wearing their seat belts.

The goal of the program is to increase seat-belt use and reduce fatalities from motor vehicle crashes.

A survey last year by the state Executive Office of Public Safety and Security found 74 percent of Massachusetts drivers were buckling up, a 10 percent increase over 2008.

But despite the increase in seat-belt use, Massachusetts still lagged well behind the national average, which was 83 percent.

Zero Tolerance Enforcement Policy for Seat Belt Violations

I _____, Chief of Police for the _____ Department will issue the following policy for my Department on or before May 24, 2010 or a date to be provided below. I have also notified the Massachusetts Executive Office of Public Safety and Security's Highway Safety Division (EOPSS/HSD) of this policy by faxing them a signed copy (617-725-0260) of the official department policy to be put into effect.

- During the past year, with your help, Massachusetts has made considerable progress in increasing the seat belt usage rate from 67% to 74%. While this is the highest belt usage rate ever reported for the Commonwealth, **Massachusetts still remains among the lowest in the nation for seat belt use compared to the national average of 84%.**
- The low compliance rate carries both a **public safety and a financial cost**; statistics show that belted motorists have lower odds of suffering fatal or serious injuries in a crash and increased numbers of serious crashes are an expensive burden for victims and insurers.
- Since a goal of EOPSS/HSD is to significantly increase seat belt use, and since issuance of seat belt citations is a proven motivator, we are requesting that all sworn personnel adopt a '**zero tolerance approach**' on the aggressive enforcement of seat belt laws and the child passenger restraint statutes.
- **The issuance of a civil penalty is the preferred disposition over the issuance of written warnings.**
- It should be noted that violations of Massachusetts General Law chapter 90, §13A "Seat Belt Use Required" and chapter 90 §7AA "Child Passenger Restraints," are **not deemed to be a conviction of a moving violation** for the purpose of assessing insurance surcharge premiums.

Signature: _____ Date: ____ / ____ / ____

Telephone Number: _____

Policy Effective Date: ____ / ____ / ____

FAX NUMBER: 617-725-0260

ATTN: Brittany Linnekin, Highway Safety Division

4/30/10