



<b>WRITTEN DIRECTIVE</b>	No. <b>FO16-0807</b>	Page: 1 of 3
	Subject: <b>PEDESTRIANS AND SPECIAL VEHICLE ENFORCEMENT</b>	Effective 01-13-16
		Date:
		Supersedes/ Amends: <b>FO11-0807</b>
	Reference:	



**I. Purpose**

The purpose of this directive is to establish guidelines for enforcement of traffic laws and regulations applicable to pedestrians, bicycles, mopeds and off-road vehicles.

**II. Policy**

It shall be the policy of the Field Operations Bureau that officers take appropriate enforcement action for law violations involving pedestrians, bicycles, mopeds and off-road vehicles.

**III. Procedure**

**A. PEDESTRIAN ENFORCEMENT**

1. Traffic laws regulating pedestrian actions are cited within the Lynchburg City Code Chapter 25, Article XI and Virginia State Code Chapter 8, Article 16.
2. The enforcement of traffic laws pertaining to pedestrians necessitates broad discretion from individual officers:
  - a. Officer discretion in pedestrian-related enforcement should be guided by analysis of available accident data, such as correlation between particular types of violations and accident times or locations, as well as citizen complaints.
  - b. With regard to pedestrian traffic laws, the “spirit” of the law shall supersede the “letter” of the law and enforcement shall be conducted accordingly.
3. Prior to any substantial increase in enforcement efforts directed toward pedestrian traffic, sufficient publicity and community awareness campaigns should be conducted by the department.
4. Officers shall concentrate their efforts on pedestrian violations in those areas where pedestrian accidents have been frequent and severe or areas that have generated citizen complaints.

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**B. BICYCLE AND MOPED ENFORCEMENT**

1. Traffic laws regulating the operation of bicycles and mopeds are cited within Lynchburg City Code, Chapter 10, and the Code of Virginia, Title 46.2.
2. It is inherent in the role of the patrol officer to enforce those laws relating to the safe operation of bicycles and mopeds.
3. Officer discretion in bicycle and moped related enforcement should be guided by analysis of available accident data, such as correlation between particular types of violations and accident times or locations, as well as citizen complaints.
4. Officer discretion may also be guided by the type of offender involved in bicycle related violations.
  - a. Officers should be less tolerant with older offenders, who should be aware of the hazards inherent in unsafe operation.
  - b. Regarding youthful offenders, who may not be fully aware of their responsibilities in the safe operation of bicycles or mopeds, officer discretion may call for more lenient enforcement action in favor of a more instructive response.

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**C. OFF-ROAD VEHICULAR ENFORCEMENT**

1. For the purposes of this directive, the term off-road vehicles will refer to motor vehicles intended, equipped or modified for use exclusively off the public roadway.
2. Off-road vehicles will include, but not be limited to:
  - a. off-road motorcycles
  - b. mini-bikes
  - c. "all terrain" vehicles.
3. Towing of off-road vehicles will be in accordance with the guidelines set forth in PD-0801: *Towing of Vehicles*.
4. Operation of vehicles on private property:
  - a. Officers will investigate complaints received regarding illegal activity in the operation of off-road vehicles on private property.
  - b. The following motor vehicle code violations may be initiated on private property regarding operation of off-road vehicles:
    - 1) DUI

- 2) reckless driving (Code of Virginia 46.2-864)
  - 3) hit and run
  - 4) excessive noise in the operation of a motor vehicle (Lynchburg City Code 25-16).
  - c. Criminal charges (to include trespassing and property damage) may be initiated against operators of off-road vehicles as deemed appropriate through the officer's investigation.
5. Operation on public property and roadways:
- a. Off-road vehicles operated on any public highway will be subject to all provisions of the City and State motor vehicle codes.
  - b. Off-road vehicles operated on public property will be subject to all codes and restrictions on use of sidewalks, bike trails, parks and other areas.
6. Handling of juvenile violators will be done in accordance with the guidelines set forth in FO-0803: *Traffic Enforcement* and PD-2006: *Juvenile Operations*.

*Original Signed*

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Major K.T.Swisher, Deputy Chief  
Field Operations Bureau

January 13, 2016

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Date