



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 14.3.1
Halifax Regional Council
April 25, 2017

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed

SUBMITTED BY: _____
Councillor Tim Outhit, Chair, Transportation Standing Committee

DATE: March 31, 2017

SUBJECT: Traffic Control Persons for Special Events

ORIGIN

March 23, 2017 meeting of the Transportation Standing Committee, Item No. 12.1.4.

LEGISLATIVE AUTHORITY

Transportation Standing Committee Terms of Reference section 5 (b) which states: "The Transportation Standing Committee shall: (b) provide policy direction related to neighbourhood transportation initiatives for traffic calming and mitigation"

RECOMMENDATION

That Transportation Standing Committee recommend that Halifax Regional Council :

1. Request that the Government of Nova Scotia amend the Nova Scotia Motor Vehicle Act to permit Traffic Control Persons to direct the movement of traffic for special events.
2. Request that the Government of Nova Scotia modify the Province's training and accreditation processes to reflect special events-related roles for Traffic Control Persons and Temporary Workplace Signers.
3. Request that the Government of Nova Scotia revise the Province's TC Manual to include standards, principles and guidelines applicable to special events-related traffic control scenarios.

BACKGROUND

A staff report dated March 23, 2017 pertaining to Traffic Control Persons for Special Events was before the Transportation Standing Committee for consideration at its meeting held on March 23, 2017.

For further information, please refer the attached staff report dated March 31, 2017.

DISCUSSION

The Transportation Standing Committee reviewed this matter at its meeting held on March 31, 2017 and forwarded the recommendation to Halifax Regional Council as outlined in the attached staff report dated March 31, 2017.

FINANCIAL IMPLICATIONS

As outlined in the attached staff report dated March 23, 2017.

RISK CONSIDERATION

As outlined in the attached staff report dated March 23, 2017.

COMMUNITY ENGAGEMENT

The Transportation Standing Committee meetings are open to public attendance, a live webcast is provided of the meeting, and members of the public are invited to address the Committee for up to five minutes at the end of each meeting during the Public Participation portion of the meeting. The agenda, reports, video, and minutes of the Transportation Standing Committee are posted on Halifax.ca

ENVIRONMENTAL IMPLICATIONS

None identified.

ALTERNATIVES

The Transportation Standing Committee did not discuss alternatives.

ATTACHMENTS

1. Staff report dated March 23, 2017.

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Liam MacSween, Legislative Assistant, 902.490.6521.



P.O. Box 1749
Halifax, Nova Scotia
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Attachment 1
Transportation Standing Committee
March 23, 2017

TO: Chair and Members of Transportation Standing Committee

SUBMITTED BY: Original signed by

Maggie MacDonald, Managing Director, Government Relations
and External Affairs

DATE: March 23, 2017

SUBJECT: Traffic control for special events involving temporary street closures

ORIGIN

March 24, 2016 – Meeting of Transportation Standing Committee

MOVED by Councillor Mason, seconded by Councillor Rankin,

THAT the Transportation Standing Committee request a staff report to outline the implications of a request to Regional Council for the Mayor to write to the province requesting an addition to the Motor Vehicle Act that would allow 'Traffic Control Persons' to direct the movement of traffic for special events sanctioned by the municipality.¹

LEGISLATIVE AUTHORITY

Administrative Order Number 2014-010-ADM, Respecting Special Events Task Force Process for Events, Parades and Street Closures.²

The Motor Vehicle Act, R.S.N.S. 1989, c. 293, s. 2(an), s. 2(at), s. 83 and s.107B.³

The Police Act, R.S.N.S. 1989, c.31, s.88.⁴

Nova Scotia Temporary Workplace Traffic Control Manual⁵

¹ See <http://www.halifax.ca/boardscom/SCtransp/documents/160324TSCmin.pdf>

² See <https://halifax.ca/legislation/adminorders/documents/2014-010-ADM.pdf>

³ See <http://nslegislature.ca/legc/statutes/motor%20vehicle.pdf>

⁴ See <http://nslegislature.ca/legc/statutes/police.pdf>

⁵ See <http://novascotia.ca/tran/tcm/Traffic%20Control%20Manual%2020120601.pdf>

RECOMMENDATION

It is recommended that Transportation Standing Committee recommend that Halifax Regional Council

1. Request that the Government of Nova Scotia amend the Nova Scotia Motor Vehicle Act to permit Traffic Control Persons to direct the movement of traffic for special events.
2. Request that the Government of Nova Scotia modify the Province's training and accreditation processes to reflect special events-related roles for Traffic Control Persons and Temporary Workplace Signers.
3. Request that the Government of Nova Scotia revise the Province's Temporary Workplace Traffic Control Manual to include standards, principles and guidelines applicable to special events-related traffic control scenarios.

BACKGROUND

On August 7, 2013, Transportation Standing Committee received a staff report outlining the municipality's street closure policy for special events and parades, including a survey of best practices and pricing practices in HRM benchmark cities, and address engineering and traffic and right of way concerns.⁶

On August 7, 2013, Transportation Standing Committee requested that staff draft a special event Administrative Order (AO) for Council's consideration. The Committee asked that the AO allow for the use of private contractors and volunteers for road closures (subject to compliance with provincial legislation and collective agreements).⁷

On August 5, 2014, Regional Council received a staff report attaching the proposed special event AO and addressing the legislative constraints surrounding active traffic control. Staff advised Council that use of volunteers or private contractors for street closures for events is not permitted under existing provincial legislation and the CUPE 108 collective agreement.⁸

On August 5, 2014, Administrative Order No. 2014-010-ADM was approved. The AO applies to special events being held on municipal land, and to the municipal services provided to special events held on non-municipal land. The special events AO provides a protocol for special events and parades that require temporary road closures.⁹

On March 24, 2016, Transportation Standing Committee requested a staff report to consider the merits of requesting change to the Motor Vehicle Act to grant authority to traffic control persons to direct traffic at special events.¹⁰

⁶ See

<http://www.halifax.ca/boardscom/SCtransp/documents/5.1StreetClosurePolicyforSpecialEventsandParadesinfo.pdf>

⁷ See <http://www.halifax.ca/boardscom/SCtransp/documents/TSC130807.pdf> (Item 5.1)

⁸ See <http://www.halifax.ca/council/agendasc/documents/140805ca1141.pdf>

⁹ See <https://halifax.ca/legislation/adminorders/documents/2014-010-ADM.pdf>

¹⁰ See <http://www.halifax.ca/boardscom/SCtransp/documents/160324tsc131.pdf>

DISCUSSION

Part I – Current Context

Authority to Actively Direct Traffic: Legislative authority to actively direct traffic (i.e. direction of vehicular and pedestrian traffic by a person) is currently limited to peace officers, Traffic Control Persons and first responders. Peace officers have broad traffic direction authority, whereas first responders and traffic control persons have very limited traffic direction authority. Volunteers and private security do not have any legislative authority to direct traffic (see Table A).

Table A: Authority to Direct Traffic

Party	Basis of Authority	Scope of Authority
Peace Officers	Motor Vehicle Act (Section 83)	Direct traffic to ensure orderly movement of vehicles through public signalized intersections or on/across a highway.
First Responders (Fire and Recovery Paramedics,)	Provincial Traffic Management Guidelines for Emergency Scenes ¹¹	Direct traffic to ensure orderly movement of vehicles through emergency scene traffic control zones.
Traffic Control Persons	Motor Vehicle Act (Section 107B)	Direct traffic to ensure the orderly movement of vehicles through designated temporary work areas.
Private Security	N/A	None.
Volunteers	N/A	None.

Status Quo – Special Event Traffic Control: Uniformed police officers of the HRP currently carry out traffic control duties at special events involving temporary street closures (as outlined in AO No. 2014-010-ADM).¹² This service is not generally part of their regular duty, but is considered a secondary activity and provided through paid duty assignments. Police officers fill assignments coordinated through HRP’s extra-duty office (typically police officers volunteer for duty on days off).¹³ Hourly paid duty rates for police officers and supervisors are consistent with the current collective agreement. The full cost of paid duty services is charged to the requestor of the service.¹⁴

Status Quo – Temporary Workplace Traffic Control: When traffic is affected by construction, maintenance, utility, or similar operations, traffic control is required. Traffic Control Persons (TCPs) currently provide active traffic control, at temporary workplaces, if passive methods of controlling traffic are inadequate to warn, direct and regulate drivers. Temporary Workplace Signers (TWSs) currently design, implement and review traffic control plans for temporary workplaces. The Province’s Temporary Workplace Traffic Control Manual sets out traffic control principles, application guidelines, traffic control personnel qualification/training stipulations, traffic control personnel roles and responsibilities and traffic

¹¹ See <https://novascotia.ca/dma/firesafety/docs/EmergencyRespondersTrafficManagementGuidelines-EmergencyScenes.pdf>

¹² Under AO No. 2014-010-ADM HRP must do traffic management for temporary street closures (section 29).

¹³ Under AO No. 2014-010-ADM, extent of police resources required for safe traffic management is determined by the Halifax Regional Police (section 31).

¹⁴ Under AO No. 2014-010-ADM all costs associated with the provision of police resources, both human and vehicular, are charged to the event organizer (section 30).

control plan requirements. The Traffic Control Manual, however, only applies to construction, maintenance or utility operations – it does not address special event scenarios.¹⁵

Part II – Move Forward Options

Halifax experiences periodic traffic disruption due to road closures and traffic congestion related to special events. In many situations, traffic management is necessary to maintain vehicular and pedestrian traffic flow and preserve the safety of all right-of-way users. However, full police powers may not be necessary for events-related traffic management. Other persons could potentially fulfill the traffic control function safely and in a more cost effective manner.

Staff have considered two alternatives to the status quo as follows:

- **Option A:** Permit traffic control personnel to direct the movement of traffic at special events involving temporary street closures.
- **Option B:** Permit special constables to direct the movement of traffic at special events involving temporary street closures.

Precedent for the use of special constables for traffic control duties has been set by the City of Vancouver. Vancouver Police Department's (VPD) Traffic Authority was created to assist with traffic and pedestrian control functions at public, private, and community events. Vancouver's Traffic Authority members are non-unionized, uniformed personnel that are trained, employed and managed by the VPD. Traffic Authority members are sworn in as special constables under British Columbia's Police Act.¹⁶

Part III – Projected Cost Savings

The use of Traffic Control Person for special events has been proposed as a way to reduce traffic management costs. However, cost savings may not materialize or may be less than anticipated. Assuming expanded Traffic Control Person/Temporary Workplace Signer authority is conferred, the number of Traffic Control Persons and Temporary Workplace Signers required on-site, and the nature and degree of managerial oversight required, will significantly impact events-related traffic management costs. Cost savings for event organizers cannot, therefore, be accurately projected.

Table B: Cost Comparison of Traffic Control Options

	TCPs and TWSs	Peace Officers
Rate of Pay	\$12-\$15/hour (TCP) \$13-\$16/hour (TWS)	\$64/hour (constable) \$76/hour (supervising sergeant) \$22-\$56/hour (special constables) ¹
Control Devices	\$1-\$250/day per device	Not applicable ²
Police Presence	Do not contribute to required police presence	Contribute to required police presence
Management /Admin Fee	Management fee may apply	Administration fee applies
Insurance	Third-party insurance	HRM insurance

¹ Rate of pay based on VPD Traffic Authority.

² With the exception of barricades and vehicles.

¹⁵ See <http://novascotia.ca/tran/tcm/Traffic%20Control%20Manual%2020120601.pdf>

¹⁶ For further Traffic Authority program details see the attached VPD Traffic Authority manual (see Attachment 3).

Rate of Pay: Hourly rates of pay for Traffic Control Persons / Temporary Workplace Signers are much lower than hourly rates of pay for police officers. Hourly rates of pay are as follows: \$12-\$15/hour (Traffic Control Person); \$13-\$16/hour (Temporary Workplace Signer);¹⁷ \$64/hour (constables); \$76/hour (supervising sergeant).¹⁸ VPD Traffic Authority special constables are paid \$22-\$26/hour (members); \$26-\$30/hour (supervisors). The City of Vancouver charges event organizers \$56.67/hour (per VPD Traffic Authority member or supervisor). Overtime rates are payable by event organizers for shifts in excess of eight hours (time-and-a-half) and for shifts in excess of ten hours (double time).

Direct rate of pay comparisons may, however, be misleading. Currently, the number of Traffic Control Persons (for each temporary workplace) varies depending on the layout/topography of the temporary workplace and the nature/extent of the highway disruption. The Traffic Control Manual also calls for supervision of Traffic Control Persons by Temporary Workplace Signers. How the Province would translate temporary workplace traffic management protocols to the context of special events is unknown. Multiple Traffic Control Persons, overseen by a Temporary Workplace Signer, may be required under circumstances where a single peace officer could direct traffic. If this is the case, Traffic Control Person-related cost savings would be eroded.

Traffic Control Devices and Vehicles: Traffic management companies charge daily rates for traffic control devices used at temporary workplaces (arrow boards, barrels, barricades, cones and message boards). Charges range from \$1/day to \$250/day (per device). With the exception of barricades, police do not use traffic control devices to manage traffic. Traffic management companies charge for vehicles used at temporary workplaces – rates are comparable to HRP vehicle charges.¹⁹

Police Presence: For events subject to AO No. 2014-010-ADM, HRP assesses public safety concerns and determines the level of police presence required (if any). After doing a threat/risk assessment, HRP determines officer numbers, supervisory ratios, and equipment requirements.²⁰ Police officers assigned to active traffic control are currently factored in by HRP when determining adequate policing presence at a special event. Traffic Control Persons would not count toward required police presence. Discontinuing the practice of using police officers for active traffic control may, therefore, result in less cost savings than would otherwise be expected.

Management/Administration Fee: Event organizer cost savings may be reduced if a traffic management company or a Temporary Workplace Signer has to be compensated for developing a traffic control plan and/or overseeing Traffic Control Person traffic management. Traffic management planning costs and managerial oversight costs, for special events hosted in Halifax, are currently borne by HRP. Historically, HRP has charged event organizers an administrative fee when police officers provide traffic direction. HRP's administration fee is 3% of billed expenses.

Insurance: Currently HRP determines the extent of police resources required for safe traffic management at special events. HRM's own policies of insurance, therefore, cover liability arising out of HRP's traffic management activities. If Traffic Control Persons are involved in special events, then Traffic Control Person-related traffic management risks would have to be insured against.²¹ HRM Risk and Insurance

¹⁷ Rates of pay for Traffic Control Persons and Temporary Workplace Signers are based on compensation advertised by Nova Scotia employers on job search web sites. Amounts charged out to event organizers may be higher if a traffic management company is involved.

¹⁸ Supervising sergeants are required for larger events with multiple constables in duty. Ratios of constables to supervising sergeants are event-dependent.

¹⁹ Event organizers are charged \$75/day for HRP vehicles used at municipally approved special events.

²⁰ HRP's threat/risk assessment is based on a number of factors including availability of alcohol, geographic scope of the event, projected attendance, anticipated participant profile/demographics and historic event-related incidents.

²¹ Administrative Order No. 2014-010-ADM (sections 19, 21 and 22) requires that event organizers carry commercial general liability insurance in forms and amounts acceptable to the municipality.

Services advises that the use of Traffic Control Persons (in place of police) would be considered an elevated risk to the municipality. Elevated risk would require additional insurance coverage and result in added costs for the event organizer.²²

Part IV – Public Safety

Given the risk to the public posed by inadequate traffic control, it is critical that accepted traffic management principles be followed at all times. Traffic control at special events and street closures must:

- provide for the safe and efficient movement of motor vehicles, bicycles and pedestrians around or through the special event or temporary road closure; and
- protect the general public and special event participants from errant vehicles.

Traffic control responsibility must be clearly assigned and persons managing traffic must be adequately trained.

Table C: Public Safety Comparison of Traffic Control Options

	TCPs and TWSs	Peace Officers
Training	Limited to workplaces	Includes special events
Standards/Guidelines	Absent from Traffic Control Manual	Developed by HRP
Traffic Control Plans	Developed by TWS	Developed by HRP
Oversight	Overseen by TWS	Overseen by HRP (within police command structure)
Ability to Act	Able to respond to traffic control scenarios at workplaces	Able to respond to traffic control scenarios and public safety threats

Traffic Control Person/ Temporary Workplace Signer Accreditation/Training: Traffic Control Persons and Temporary Workplace Signers must be accredited by the Provincial Traffic Authority (i.e. receive approved training and pass an examination). Traffic Control Persons attend a one day course. Temporary Workplace Signers attend a two day course. Provincially approved training for Traffic Control Persons and Temporary Workplace Signers currently focuses exclusively on temporary workplace scenarios. Staff maintain that current Traffic Control Person/Temporary Workplace Signer training and accreditation is not sufficient to enable Traffic Control Persons and Temporary Workplace Signers to safely provide traffic control at special events.

Traffic Control Manual: Traffic Control Persons and Temporary Workplace Signers are required, by statute, to comply with the latest edition of the Traffic Control Manual. The Traffic Control Manual, however, deals exclusively with temporary workplace scenarios. The Traffic Control Manual does not address special-event-related traffic management scenarios. Staff view Traffic Control Person involvement in special event traffic management as unsafe in the absence of Traffic Control Manual standards, principles and guidelines applicable to special-events-related traffic control scenarios.

²² Risk and Insurance Services are responsible for completing a risk assessment based on a number of factors including availability of alcohol, geographic scope of the event, projected attendance, anticipated participant profile/demographics and historic event-related incidents to determine appropriate insurance coverage and required risk management strategies. They are empowered under the AO (section 21) to require additional insurance where appropriate.

Traffic Control Plans: The Traffic Control Manual stipulates that traffic control plans are required for temporary workplaces on highways. Traffic control plans must be prepared (after a site assessment has been conducted) with detail appropriate to the complexity of the project.²³ Occupation of the temporary workplace is only permitted after appropriate traffic controls are in place. Staff would view Traffic Control Persons' traffic direction at special events as unsafe unless event-appropriate traffic control plans are developed (by Temporary Workplace Signers) and put in place prior to occupation of a special event site. Special-event-specific traffic control plan stipulations would require changes to the Traffic Control Manual.

Oversight of Traffic Control Persons: Traffic management companies employing traffic control workers are responsible for ensuring that all traffic control crew and supervisors are trained and familiar with safe traffic control practices. The Traffic Control Manual requires that workplaces be carefully monitored by Temporary Workplace Signers under varying conditions of traffic volume, light and weather. Temporary Workplace Signers ensure that traffic control measures are operating effectively, that all devices used are appropriate, clearly visible, clean and in good repair and that the traffic control plan remains effective in providing safe conditions for motorists, pedestrians, cyclists and workers. Staff view Traffic Control Person involvement in special event traffic management as unsafe unless comparable supervisory oversight (of Traffic Control Persons) is in place at special event sites.²⁴

Ability to Act: The capacity to act immediately in response to threats to public safety is an important benefit of having police provide traffic control. While life threatening incidents are rare, having police on hand decreases the likelihood that an event-related incident will result in either a serious injury or a fatality. Police are better trained and equipped (than Traffic Control Persons) to deal with belligerent motorists and uncooperative bystanders/pedestrians and to respond to evolving situations. Unlike HRP, Traffic Control Persons do not have immediate access to additional police support to enforce temporary street closures. In the case of special events, crowds are common and many people could be put at risk if traffic directions are ignored.

Part V – Municipal Liability

Without knowing the extent of amendments that would be made to the Motor Vehicle Act, it is difficult to assess the impact of changes on issues of liability. This assessment would need to be completed after legislative changes have been made by the Province, and before Council makes any decisions to amend AO No. 2014-010-ADM.

It is staff's position that without changes to the Province's training and accreditation processes to reflect new special events-related roles for Traffic Control Persons and Temporary Workplace Signers, and revisions to the Province's Traffic Control Manual to include standards, principles and guidelines applicable to special events-related traffic control scenarios, Traffic Control Persons and Temporary Workplace Signers would not have the necessary expertise to direct traffic at special events even if permitted to do so by legislation. Because of this, staff recommends these additional changes also be requested of the Province.

If proposed amendments to the Motor Vehicle Act and supporting training and guidelines were comprehensive enough, it is possible that Municipal liability could be limited by requiring event organizers to engage a traffic control company with suitable insurance to take on the liability associated with traffic direction in the circumstances outlined in Table D above. However, this would engage the increased insurance requirements as outlined above. It would also not diminish HRP's role in determining the

²³ The traffic control plan may range in scope from a reference to standard plans, a section of the Manual, or to a very detailed design solely for a specific project. The needed detail in the plan depends on the complexity of the work and on the conflicts between traffic and the work.

²⁴ Companies contracted by HRM to provide traffic control at temporary workplaces must comply with applicable policies, codes and regulations (municipal, provincial and federal) and are responsible for ensuring that personnel are properly trained and supervised.

general level of police presence required at a special event that is governed by AO No. 2014-010-ADM generally as discussed earlier.

A more fulsome review of liability issues can only be completed once the extent of the legislative amendments and changes to the supporting training and guidelines is known, and prior to Regional Council making any amendments to AO No. 2014-010-ADM.

FINANCIAL IMPLICATIONS

Allowing Traffic Control Persons to direct traffic at special events and temporary road closures would be revenue neutral for the municipality. The full cost of providing off-duty police officers for traffic control is currently recouped from the event organizer. No revenue would be forgone (by the municipality) as the current approach is purely cost-recovery.

Potential costs incurred (by the municipality) in using special constables for traffic control at special events and temporary road closures are currently unknown. Analysis of financial implications would be part of the feasibility/merits review conducted by HRP, if requested by Regional Council (see Alternative 1).

RISK CONSIDERATION

Recommendation: Use TCPs to direct traffic at special events

Risk	Likelihood (1-5)	Impact (1-5)	Risk Level (I/L/M/H/VH)	Mitigation
Financial	–	–	–	N/A
Environmental	–	–	–	N/A
Service Delivery	–	–	–	N/A
People	3	3	H	N/A
Reputation	3	2	M	N/A
Legal and Compliance	2	4	H	N/A

Alternative 1: Review feasibility of using special constables to direct traffic at special events

Risk	Likelihood (1-5)	Impact (1-5)	Risk Level (I/L/M/H/VH)	Mitigation
Financial	–	–	–	N/A
Environmental	–	–	–	N/A
Service Delivery	–	–	–	N/A
People	–	–	–	N/A
Reputation	–	–	–	N/A
Legal and Compliance	–	–	–	N/A

Alternative 2: Status Quo | Continue to use police officers to direct traffic at special events

Risk	Likelihood (1-5)	Impact (1-5)	Risk Level (I/L/M/H/VH)	Mitigation
Financial	–	–	–	N/A
Environmental	–	–	–	N/A
Service Delivery	–	–	–	N/A
People	1	3	M	N/A
Reputation	1	2	L	N/A
Legal and Compliance	1	4	M	N/A

COMMUNITY ENGAGEMENT

No community engagement has taken place.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications.

ALTERNATIVES

1. Request that Halifax Regional Police examine the feasibility and merits of permitting special constables to actively direct the movement of traffic at special events involving temporary street closures. If Council elects to proceed with this alternative a more detailed feasibility/merit review would be warranted to:
 - canvass police collective agreement implications;
 - assess resource requirements and financial implications;
 - address pay structure (traffic-control assigned special constables);
 - explore ancillary benefits of developing special constable positions; and
 - review the VPD Traffic Authority program as a possible implementation template.
2. Continue to use police officers to direct traffic at special events

ATTACHMENTS

Attachment 1: Legislative Implications of Expanding Traffic Control Persons Authority

Attachment 2: Defined Terms Used in the Staff Report

Attachment 3: Vancouver Police Department Traffic Authority Manual

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/index.php> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4816, or Fax 902.490.4208.

Report Prepared by: Scott Sheffield, Community Developer, Government Relations and External Affairs, 490-3941

ATTACHMENT 1 LEGISLATIVE IMPLICATIONS

Granting expanded authority to Traffic Control Persons would have legislative implications as follows:

Motor Vehicle Act: The Motor Vehicle Act (MVA) contains the most straightforward language for expanding the scope of Traffic Control Persons traffic direction authority. If enacted, Traffic Control Person-related amendments to the MVA are likely to be permissive.²⁵ Amendments that expand the scope of Traffic Control Person/Temporary Workplace Signer authority would expand events-related traffic control options for municipal governments across Nova Scotia. Individual municipalities could choose whether, and to what extent, to make use of the expanded Traffic Control Person authority to direct traffic. Municipal impact would differ depending on individual municipalities' event hosting protocols and procedures. Staff could, if requested by Regional Council, refer the matter to the Union of Nova Scotia Municipalities for its consideration.

Administrative Order: Assuming an expanded traffic control role is conferred on Traffic Control Persons/Temporary Workplace Signers, amendments to AO No. 2014-010-ADM would be needed to ensure that the AO continues to facilitate safe, well planned/executed special events. In particular, sections 29, 31 and 32 of the AO would need to be reviewed to address MVA amendments and Traffic Control Manual revisions.²⁶

²⁵ Permissive legislation grants an entity, which depends on it for authorization or legitimacy, the power to take certain actions.

²⁶ These sections currently read as follows: s.29. Special events involving temporary street closures shall be required to use members of the Halifax Regional Police for traffic management; s.31. The extent of police resources required for safe traffic management shall be determined by the Halifax Regional Police; s.32. A special event may be subject to cancellation if adequate police supervision is not secured before the commencement of the event

ATTACHMENT 2 DEFINED TERMS USED IN THE REPORT

Definitions Used: For the sake of clarity, the following terms have been defined for the purposes of this report: highway, municipal lands, municipal services, special event, temporary street closure, traffic control worker and temporary work area. The definitions used are consistent with Administrative Order No. 2014-010-ADM, the Motor Vehicle Act, and the Nova Scotia Temporary Workplace Traffic Control Manual.

“highway” means (i) a public highway, street, lane, road, alley, park, beach (including the bridges thereon), and (ii) private property that is designed to be and is accessible to the general public for the operation of a motor vehicle.²⁷

“municipal lands” means real property owned or leased, in whole or in part, by the Municipality, and includes streets as defined in section 3(bu) of the *Halifax Regional Municipality Charter*.

“municipal services” means any service provided by the Municipality to support a special event that exceed regularly scheduled service, including electrical services, grounds maintenance, infrastructure delivery and pick up, police services, traffic and right of way services, fire and emergency services, transit services, and solid waste services.²⁸

“special event” means a sporting, cultural, business or other type of activity, which may be one-time or annual, but occurs for a limited or fixed duration, and is presented to a live audience that has an impact on the Municipality by involving the use of, or having impact on, municipal lands, or requiring municipal services support.²⁹

“temporary street closure” means any permit issued by the Engineer to allow a special event on a street pursuant to the *Halifax Regional Municipality Charter*.³⁰

“temporary workplace” means the area of a roadway which is directly affected by construction, maintenance, or utility operations. Where temporary condition devices are used at a temporary workplace, it is the entire portion of a roadway between the first temporary condition device and the place beyond the work area where normal roadway conditions resume.³¹

“temporary workplace signer” means a person qualified and accredited by the Provincial Traffic Authority to assess conditions, prepare, implement and review traffic control plans for construction, maintenance, and utility temporary workplaces: they are responsible for ongoing compliance with the Temporary Workplace Traffic Control Manual and for ensuring the safe regulation of traffic and safe passage of pedestrians at temporary workplaces.³²

“traffic control person” means a person qualified and accredited by the Provincial Traffic Authority to direct the movement of traffic at a construction, maintenance, or utility temporary workplace.³³

²⁷ As defined in the Nova Scotia Motor Vehicle Act (see Section 2(u))

²⁸ As defined in Administrative Order No. 2014-010-ADM (see Section 3(i)).

²⁹ As defined in Administrative Order No. 2014-010-ADM (see Section 3(n)).

³⁰ As defined in Administrative Order No. 2014-010-ADM (see Section 3(o)).

³¹ As defined in the Temporary Workplace Traffic Control Manual 2012 (see Page D-6)

³² As defined in the Temporary Workplace Traffic Control Manual 2012 (see Page D-5)

³³ As defined in the Temporary Workplace Traffic Control Manual 2012 (see Page D-5)



VANCOUVER POLICE
TRAFFIC AUTHORITY UNIT
POLICY MANUAL

Coordinator: Cst. 1591 Corinne Allan
Approved By: Insp. 1368 Joanne McCormick

Date: April 2016
Date: April 2016

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Guiding Policies for the Traffic Authority Unit

Foreword:

This manual is designed to provide policy and guidance to all Traffic Authority (TA) members. It contains special references to those areas unique to the Traffic Authority Unit. The regular force Regulation and Procedure Manual is also binding upon members and references to the regular force manual that most commonly apply to the Traffic Authority Unit are also contained in this manual.

This manual is a guideline and is not intended to supersede any departmental policy, regulation, or instruction.

1.0 Mandate, Structure and Legislated Authorization for the Traffic Authority Unit

- 1.1 **Mission Statement:** To serve the community and support the Vancouver Police Department by ensuring public safety in a professional manner.

Values: Integrity
Professionalism
Accountability
Respect

1.2 Operational Command of Traffic Authority Unit

Traffic Authority members are under the operational command of the Inspector i/c Emergency & Operational Planning Section (EOPS), or delegate.

Organizational Structure:

Chief Constable
Operations Division – Deputy Chief Constable
North Command - Superintendent
Emergency & Operational Planning Section – Inspector / S/Sgt / Sgt i/c
Traffic Authority Coordinator – Cst.
Traffic Authority Special Municipal Constables

1.3 B.C. Police Act s 35(1) Special Municipal Constables designation

- 35(1) After consultation with the Chief Constable, a municipal police board may appoint persons considered suitable as Special Municipal Constables.
- (2) A Special Municipal Constable must assist the municipal police department in the performance of its duties
 - (3) Subject to a collective agreement as defined in the Labour Relations Code, a Special Municipal Constable may be paid the remuneration and is appointed for the term the municipal police board determines.
 - (4) **Subject** to the restrictions the municipal police board specifies in the appointment, a special municipal constable has, while carrying out the duties of his or her appointment, the powers, duties and immunities of a municipal constable.

1.4 Motor Vehicle Act – Chapter 318, Part 3

123. If a peace officer reasonably considers it necessary to:
- (a) ensure orderly movement of traffic
 - (b) prevent injury or damage to persons or property, or
 - (c) permit proper action in an emergency,
- the peace officer may direct traffic according to his or her discretion, despite anything in this Part, and everyone must obey his or her directions.

1.5 Vancouver Police Department Regulation and Procedure Manual Section 2.1.12 – Function – Traffic Authority

1. The Traffic Authority is under the command of the Inspector i/c Emergency and Operational Planning Section. Members are appointed as Special Municipal Constables pursuant to Section 35 of the Police Act. (See Appendix 1)

1.6 Maximum Complement of Traffic Authority Unit Members

The Chief Constable can establish a maximum complement of Traffic Authority members in consultation with the non-police managing partners.

1.7 Rank Structure

The Chief Constable or delegate may establish a rank structure within the Traffic Authority Unit. Traffic Authority member's rank title or insignia is for administrative, emergency, or ceremonial purposes only and must be used in conjunction with regular Traffic Authority insignia. Traffic Authority supervisors are expected to wear the appropriate supervisory insignia on their shirt or jacket epaulets while in a supervisory capacity.

1.8 Supervisors

Supervisors Role: The Department assigns responsibility, accountability and authority to the Traffic Authority supervisor position. Supervisors will be responsible for the supervision and coordination of activities and personnel relating to the special event they are assigned, or in capacity of a Team Leader. Duties include but are not limited to; planning, organizing, deployment of personnel, completion of reports, coaching, evaluation, correction and human resources management. (See 'c' below) EOPS may also assign police officers to these duties, in which case the Traffic Authority supervisor will follow their directions and instructions. Supervisors are required to ensure the safety of all workers under their direct supervision and ensure compliance by those working for them. Supervisors must ensure that workers under their direct supervision are made aware of all known or reasonable foreseeable health or safety hazards. Supervisors will be required to have knowledge of the Vancouver Police Department Policy and Procedures; the Traffic Authority Policy Manual; Federal, Provincial and Municipal laws and regulations; WCB regulations and any other acts or regulations that pertain to the position.

Pay: While working as a supervisor, the member will receive a higher hourly rate based on the supervisor pay scale. If the member is not working as a supervisor at an event, but is assigned to work the event, they will receive their normal pay rate based on their number of hours of service.

a) Supervisor Preferred Qualifications

- formal management/ supervisory/ conflict resolution related experience and/or courses & training (City of Vancouver City Learn courses or other equivalent courses)
- have past experience in a supervisory role
- have organizational and administrative skills
- experience as a Traffic Authority member working large and small events
- minimum of 500 hours as a Traffic Authority member
- possess interpersonal skills as well as team building abilities, and be seen as a positive role model to other members

b) Supervisor Selection Process:

New supervisors/team leaders/traffic control trainers:

- submit a letter or resume outlining their experience and suitability for the position
- review of submitted resumes by T/A Unit Coordinator in order to short list suitable candidates
- panel interview – Sgt. i/c EOPS, T/A Unit Coordinator, EOPS event planner and/or senior Traffic Authority member
- personnel file review – past performance and participation in the T/A unit examined
- input/ feedback from EOPS staff who routinely deal with the applicant as well as feedback from supervisors within the Traffic Authority unit

Supervisory reviews will take place every year, in which time the supervisor/member will also have an opportunity to step down from their position if they can no longer perform the required duties for personal, medical or professional reasons.

c) Supervisor responsibilities include but are not limited to the following:

- traffic trainer and/or assessor of new and current members
- mentor to new members and participation in their training process
- co-ordination and supervision of events. Make appropriate decisions regarding manpower deployment, barricade positions, cone positions and adjust deployment as needs change
- monitor and respond to radio requests from dispatch and other members
- attend problem locations as required
- liaise with sworn police members/ supervisors and EOPS members as required
- responsible for submitting pay sheet and post event reports
- role model for appropriate dress/deportment – expected to address and correct inappropriate dress/ deportment issues with members prior to deployment of a shift
- responsible for advising the TA Coordinator of any problems or difficulties with any TA members during an event

d) Supervisor levels:

Depending on experience, performance assessment, and requirements of the unit, a supervisor will be designated as being suitable to handle small, medium or large events. A small event supervisor can only supervise an event with 12 or fewer TA members. A medium event supervisor can supervise an event up to 20 TA members, and a large group supervisor must be capable of supervising any size event.

1.9 Traffic Control Trainer Role

Traffic Control Trainers will be responsible for assisting with the initial training and qualification of all new Traffic Authority members, plus the on-going refresher courses of all Traffic Authority members. The initial training of new members may also be done in conjunction with the Departmental Traffic Control Trainer. When training members, the Traffic Control Trainer will have the same responsibilities and authority as a supervisor, and will receive a supervisor's hourly rate of pay. (See supervisor's role 1.8)

Criteria for Traffic Control Trainers:

- must have completed a minimum of 500 hours as a Traffic Authority member
- must submit a resume outlining their experience and suitability for the position
- have organizational and administrative skills
- possess report writing and verbal communication skills
- possess the ability to teach and convey instructions

- have experience as a Traffic Authority member working both small and large events
- be willing to take or have taken appropriate WorksafeBC (WCB) Operational Health and Safety courses on traffic control and traffic control supervision

1.10 Service Awards

The Chief Constable or delegate may create Traffic Authority Unit service awards, subject to the service awards being clearly distinguishable from the police service awards.

2.0 Employment Status of Traffic Authority Members

2.1 Employment Benefits of Police Auxiliary

Individual Traffic Authority members are part time employees and are therefore not entitled to receive the benefits of employment negotiated for or granted to regular sworn police officers. Traffic Authority members are not members of the Vancouver Police Union.

2.2 Extraordinary Expenses

Individual Traffic Authority members may be paid remuneration for any extraordinary expenses that occur from the performance of authorized program activities and be entitled to be reimbursed for certain authorized equipment expenditures such as footwear.

2.3 Uniform Dry Cleaning and Alterations

Traffic Authority members will be entitled to dry cleaning at designated department facilities at the rate of four shirts and one pair of pants for every 40 hours of service. Other equipment items such as jackets shall be cleaned as required. This service may include alterations. No reimbursement shall be made for these services at a non-department approved facility.

3.0 Police Officer Status of Traffic Authority Members

3.1 Authority to Perform Authorized Activities

A Traffic Authority member performing authorized activities is restricted to the authority required to perform the specific activity, unless called upon to render assistance to a police officer.

3.2 No Authority When Not Performing Authorized Activities

When not performing authorized Traffic Authority Unit activities in accordance with the mandate, a Traffic Authority member does not have the authority of a peace officer.

This does not detract from the authority and protection every individual is provided under the Criminal Code of Canada.

The Traffic Authority member may identify themselves and take appropriate action if presented with an emergency situation that requires the intervention for public safety

reasons. If the member does so, they must summon the assistance of a non-restricted Peace Officer as soon as reasonably possible.

3.3 Limitation on Identification as a Special Municipal Constable or Peace Officer

Notwithstanding the concession above, while not in the performance of regularly authorized Traffic Authority Unit activities, a Traffic Authority member must not identify him/herself as a Special Municipal Constable or Peace Officer, or as having any authority greater than a citizen, in order to take advantage of a benefit for themselves.

3.4 Special Municipal Constable Appointment.

The Vancouver Police Board must issue a Certificate of Appointment, containing a description of the Traffic Authority Unit's mandate, and any restrictions governing the terms of the appointment. For insurance and WCB coverage, this certificate must be issued prior to the commencement of training but the certificate of appointment will be held by the Chief Constable, or their delegate, until required training has been successfully completed and the individual has been sworn in as a Special Municipal Constable.

3.5 Carrying and Production of Identification Card and Badge

During the performance of regularly authorized activities, Traffic Authority Unit members must carry a departmental issued identification card and badge and produce such identification upon request.

3.6 Identification of "Police" Officer Prohibited

Traffic Authority Unit members are Special Municipal Constables and are not police officers. At no time may a Traffic Authority Unit member identify him/herself as a police officer, but they may identify themselves as Special Municipal Constables of the Vancouver Police Department.

3.7 Required Approval for Reference to Special Municipal Constable Status in Communications and Correspondence

A Traffic Authority member who wishes to identify him/herself as a peace officer or as a Special Municipal Constable, whether on or off duty, in open communications to the public and correspondence, must obtain the approval and signature of the Chief Constable, or delegate, prior to issuing such communications and correspondence, including but not limited to letters, printed material for public distribution and the Internet.

3.8 Use of Police Letterhead or Insignia

A Traffic Authority member must not use police or departmental letterhead or insignia in any communication unless authorized to do so by the Chief Constable, or delegate.

3.9 Personal Revenue Generating Activities

Traffic Authority Unit members must not use their Special Municipal Constable status or program affiliation for financial gain. Members who wish to engage in personal revenue generating activities which refer to their Special Municipal Constable status must have prior written approval of the Chief Constable and the Attorney General, or their delegates. (Appendix 3)

3.10 Release of Information to the Media

All communications to the public and/or media that are not part of an authorized department activity are to be directed to the department's designated media representative unless authorized by the Chief Constable or delegate. Traffic Authority members are not to share or release any information into the public domain regarding investigations or intelligence that they have become a party to. As is stated in the VPD Regulation and Procedure manual concerning confidentiality;

"all members of the Department through the nature of their duties and course of employment have degrees of access to confidential material and information. No member shall disclose any confidential information unless authorized. Use of confidential information for personal benefit is prohibited" (See Appendix 2)

3.11 Suspension/Release for Failure to Comply with Policy

Failure to comply with the limitations on identification as a peace officer, or abuse of the limited Special Municipal Constable peace officer authority may result in suspension or release from the Traffic Authority Unit after an investigation and report by the Chief Constable or delegate.

4.0 Application of Code of Conduct, Public Complaints and Discipline

4.1 Code of Conduct Prescribed by the Attorney General

Special Municipal Constables (Traffic Authority Unit members) are subject to the Code of Conduct prescribed by the Ministry of Attorney General, and contained in the Police Amendment Act, 1997 and Associated Regulations.

4.2 Public Complaints and Discipline Process

Discipline and public complaints about Special Municipal Constables are governed by the Public Complaints Process established by the Chief Constable and approved by the Ministry of Attorney General. All complaints or discipline matters may be handled by the Sgt. i/c EOPS, or designate.

5.0 Liability and Traffic Authority Member Access to Counsel

5.1 Traffic Authority Members' Protection from Personal Civil Liability

Special Municipal Constables have the following protection from personal liability under section 21 of the BC Police Act:

Personal liability

21 (1) In this section, "police officer" means a person holding an appointment as a constable under this Act.

(2) No action for damages lies against a police officer or any other person appointed under this Act for anything said or done or omitted to be said or done by him or her in the performance or intended performance of his or her duty or in the

exercise of his or her power or for any alleged neglect or default in the performance or intended performance of his or her duty or exercise of his or her power.

(3) Subsection (2) does not provide a defence if

- (a) the police officer or other person appointed under this Act has, in relation to the conduct that is the subject matter of action, been guilty of dishonesty, gross negligence or malicious or wilful misconduct, or
- (b) the cause of action is libel or slander.

5.2 Vicarious Liability

(4) Subsection (2) does not absolve any of the following from vicarious liability arising out of a tort committed by the constable or other person appointed under this Act for which the municipality, the regional district or the minister would have been liable had this section not been in force:

- (a) a municipality, in the case of a constable, or other person appointed under this Act, who is employed by a board on behalf of the municipality;
- (b) a regional district, in the case of an enforcement officer employed by it; the minister, in a case to which section 11 applies.

5.3 Liability for Special Municipal Constables:

Section 20 of the BC Police Act:

20(1) Subject to an agreement under section 18(1) and 23(2), a municipality, or a regional district, in the case of an enforcement officer employed by it, is jointly and severally liable for a tort committed in the performance of his or her duties by a municipal constable, *special municipal constable*, enforcement officer, bylaw enforcement officer or employee of the board employed by the board on behalf of the municipality.

5.4 Selection of Counsel

Counsel appointed to represent a Traffic Authority member will be selected by the government providing counsel and will take instructions from the sponsoring government.

5.5 No Protection from Criminal Responsibility

Traffic Authority members are not protected from criminal responsibility for their actions if acting negligently.

5.6 Provision of Counsel in Statutory Prosecution

In a statutory offence prosecution, or civil action arising from an incident where a Traffic Authority member is:

- (a) performing authorized program activities; and
 - (b) acting with the scope of those authorized activities;
- the Province or the City may provide counsel to act on behalf of the Traffic Authority member and protect any interest of the Province or City.

5.7 Limitations on Providing Counsel

Traffic Authority members are not entitled to counsel at the expense of government for the purposes of:

- (a) internal police investigations;

(b) responding to a public complaint; or appearances before inquiries or tribunals.

5.8 Written Request for Appointment of Counsel

A Traffic Authority member who wishes to have the City provide counsel to act on behalf of the member must submit a written request for appointment of counsel to the Chief Constable, or delegate. A written report detailing the subject incident and recommending approval or non-approval of the member's request for counsel must be forwarded to the Attorney General and/or the City's Director of Legal Services.

6.0 Traffic Authority Members' Participation in Program Management

6.1 Required Participation

Members are expected to make themselves available for shifts through the on-line scheduling system, and to keep their schedule updated. A Traffic Authority member is required to work a minimum of 8 hours/month or approximately 100 hours/year. Traffic Authority members are also expected to work large deployment events. Participation and qualification in yearly training sessions and/or force options training is mandatory.

6.2 Suspension or Release from Program for Failure to Complete the Required Hours

Failure to successfully complete the required 100 hours may result in suspension or release from the Traffic Authority program.

6.3 Traffic Authority Unit members may volunteer for authorized activities

A Traffic Authority member may volunteer for activities as defined by the Chief Constable, or delegate, and with permission granted by the Chief Constable or delegate.

6.4 Records of Traffic Authority Unit member's Activities

Records of activities performed by individual Traffic Authority members will be maintained and made available for inspection and audit by the Director of Police Services for the Province.

6.5 Traffic Authority Unit Participation in Program Coordination and Administration

The Chief Constable or delegate may authorize Traffic Authority members to perform coordination and administrative functions for the Traffic Authority.

7.0 Traffic Authority Unit Operation of Police Vehicles

Traffic Authority Unit Emergency Vehicle use - TA Policy Manual update s.7.0 April 2006

The Chief Constable or delegate may authorize Traffic Authority members to operate police vehicles and/or designated Traffic Authority Unit vehicles. It should be noted that certain specialized vehicles are marked (and are classed as Emergency Vehicles) and may be required to be operated for the carrying out of assigned duties. Section 122 of the Motor Vehicle Act (below) lays out the 'exemption' for Emergency Vehicles. **However**, Traffic Authority members are **not** to exercise the privileges granted in **122(1)(a) and 122(1)(b)** as the nature of work of a Traffic Authority member is not one of an Emergency Responder. Situations that a Traffic Authority member would be involved in would not warrant contravening those sections of the Motor Vehicle Act while driving a Traffic Authority Unit vehicle or unmarked police vehicle.

Exemption for Emergency Vehicles

- 122(1) Despite anything in this Part, but subject to subsections (2) and (4), a driver of an emergency vehicle may do the following:
- (a) exceed the speed limit;
 - (b) proceed past a red traffic control signal or stop sign without stopping;
 - (c) disregard rules and traffic control devices governing direction of movement or turning in specified directions;**
 - (d) **Stop or stand.**
- (2) The driver of an emergency vehicle must not exercise the privileges granted by subsection (1) except in accordance with the regulations.
- (3) [Repealed 1997-30-2.]
- (4) The driver of an emergency vehicle exercising a privilege granted by subsection (1) must drive with due regard for safety, having regard to all the circumstances of the case, including the following:
- (a) the nature, condition and use of the highway;
 - (b) the amount of traffic that is on, or might reasonably be expected to be on, the highway;
 - (c) the nature of the use being made of the emergency vehicle at the time.

Concerning 122(1)(c), Traffic Authority members must exercise all other reasonable options before exercising privilege (c) and must plan their route without taking undue advantage of section (c). Ex: driving the wrong way on a one way street when another route, although longer, would not involve contravening the Motor Vehicle Act.

Concerning 122(1)(d) stop or stand, Traffic Authority members must take all reasonable steps to stop or park in accordance with the posted signs and/or regulations, and will take into consideration section (4) above.

Emergency Vehicle Driving Regulations – Motor Vehicle Act

- 4 (1) A peace officer operating an emergency vehicle for the purposes other than pursuit may exercise the privileges granted by section 122(1) of the Motor Vehicle Act if:
- (a) the peace officer has reasonable grounds to believe that the risk of harm to members of the public from the exercise of those privileges is less than the risk of harm to members of the public should those privileges not be exercised, and
 - (b) the peace officer operates emergency equipment (defined as an audible bell, siren or whistle AND a flashing red or blue light)
- (2) Having determined that there are reasonable grounds referred to in subsection (1)(a), a peace officer operating an emergency vehicle for purposes other than pursuit may exercise the privileges granted by section 122(1) of the Motor Vehicle Act, without operating emergency equipment if:
- (a) (not applicable to TA's)
 - (b) the peace officer is engaged in the lawful execution of his or her duty other than as described in paragraph (a) or section 3 and has reasonable grounds to believe that it is safe to operate the emergency vehicle without operating emergency equipment.
- (3) In considering whether there are reasonable grounds under subsection (1), (2) or (5) a peace officer must:
- (a) consider the factors described in section 3 (2), and
 - (b) weigh the degree of risk of harm to members of the public against the serious nature and circumstances of the suspected offence or incident.

Section 122 of the Motor Vehicle Act applies strict guidelines and restrictions on persons operating Emergency Vehicles, including sworn VPD members. For the purposes of the Traffic Authority Unit, considering the scope of duties as a Peace officer, and that Traffic Authority members would only be engaged as Emergency Responders in extenuating circumstances, members must weigh their actions at all times when considering contravening Motor Vehicle Act regulations, and must abide by the Emergency Vehicle Driving Regulations above. Section 4(1)(b) above demands that members operate emergency equipment when exercising privileges under s. 122 for emergency vehicles, which includes lights AND an audible bell, siren or whistle.

Although these privileges may be exercised under exigent circumstances, members are to make alternate plans so that they do not have to contravene any Motor Vehicle Act regulations and do not have to activate lights and sirens. When driving a closed route/ designated route or when driving in accordance with Motor Vehicle Act regulations, the use of lights alone to alert people to your presence and location may be appropriate, but as soon as any Motor Vehicle Act regulations are contravened, you must consider the risks and whether there is a more appropriate course of action. The use of the air horn instead of activating the siren would also be a more appropriate course of action if required and to satisfy 4(1) (b) above.

Under no circumstances will a Traffic Authority member pull over or stop another motor vehicle by using their emergency equipment or motioning the driver to pull over. (Ex: pulling over a traffic violator.)

Members of the Traffic Authority will not engage in a vehicle pursuit under any circumstances.

8.0 Activities a Traffic Authority Member Must Not Perform

8.1 Activities a Traffic Authority member must NOT perform include, but are not limited to:

1. Issue, serve or execute documents relating to Court processes, such as: VTs, Appearance Notices, Summonses, subpoenas or warrants.
2. Operate technical devices for enforcement purposes such as: radar sets or breath testing devices.
3. Operate police vehicles in an operational capacity except when authorized or under emergency conditions.
4. Sign any document in the capacity of a peace officer or a Commissioner for Taking Oaths.
5. Initiate an enforcement activity or an investigation unless directed to do so by a police officer that assumes direct supervision and liability. An exception would be an emergency or urgent situation when a Traffic Authority member must take intervening action for public safety purposes.
6. Engage in any duty of covert surveillance, agent, decoy or any other specialized duty or similar non-uniform duty.
7. Provide peace officer assistance to non-police agencies unless under the direct supervision of a police officer.
8. Guard crime scenes.

9.0 Recruiting Standards

9.1 Recruitment Standards and Selection process:

All recruiting and selection of Traffic Authority Unit members is to be conducted by the Recruiting Unit of the Vancouver Police Department.

Qualifications:

The following are the minimum requirements to qualify as an applicant to the Traffic Authority Unit.

- 19 years of age
- Completion of grade 12 or GED equivalent
- Physically fit and in excellent health
- Canadian Citizen or Permanent Resident
- Valid Class 5 B.C. drivers licence with no restrictions and a good driving record
- Vision corrected to 20/20 and must meet colour vision standards
- No business or employment conflict of interest
- No criminal convictions, no adult criminal charges pending
- No history of improper conduct, poor employment, military, education or driving record, that would affect your suitability for uniform duties

Application and Selection process:

Applicants are required to:

- Apply online to begin the process
- Entrance exam – a score of 50% is required to pass

- Integrity and lifestyle questionnaire – documents outlining your personal background
- Correctional Officer Physical Abilities Test (COPAT)
- Intake Interview – conducted by a Recruiting Detective, this includes a review of your integrity and lifestyle questionnaire
- Polygraph examination
- Medical exam (with your own doctor)
- Background investigation

Candidates selected for a position with the Traffic Authority Unit will be sworn in by the Chief Constable or his designate. Recruits will be required to complete and sign a Special Municipal Constable Acknowledgement, Oath of Allegiance and Special Municipal Constable Appointment forms. Formal training will commence on dates identified by the Training Section. (Appendices 6, 7 & 8)

9.2 Persons Who Are Not Eligible

Persons who hold police officer status in any other area of employment are not eligible to become members of the Traffic Authority Unit.

Note: Ineligibility criteria that arise subsequent to appointment as a Traffic Authority member may result in release from the Traffic Authority Unit.

10.0 Remuneration and Reimbursement

10.1 Traffic Authority Pay Scale

Traffic Authority members are paid on the following pay scale:

Step 1: \$22.18

Step 2: \$23.95

Step 3: \$25.98

Members hired after May 1st, 2014 will advance to the next incremental step after each 1500 hours worked. Overtime rates at 150% of regular pay will apply after the first 8 hours worked and will advance to 200% after 12 hours are worked.

Traffic Authority supervisors/ traffic control trainers are paid on the following pay scale:

Step 1: \$25.98

Step 2: \$28.15

Step 3: \$30.51

All members will receive:

a. 12% of pay in lieu of benefits (includes vacation pay); and

b. 16% of pay, after 2,030 hours of work completed, in lieu of benefits (includes vacation pay).

There are no other paid benefits attached to Traffic Authority positions.

10.2 Authority to Pay Wages during Declared Emergency

The Province and/or the City may establish policy providing for the payment of wages to a Traffic Authority Unit member who is called upon to perform authorized activities during the circumstances of an emergency declared by a proclamation under the Emergency Program Act or when policing resources have been or will be determined to be exhausted by the Chief Constable or delegate for an extended time period.

11.0 Traffic Authority Unit Training – Initial and On-going

11.1 Establishing Training Standards

Initial and on-going Traffic Authority Unit training standards with respect to the skills, knowledge and ability required to perform the authorized activities of a Traffic Authority member must be established by the Chief Constable, or delegate. Training will be conducted by the VPD Training Section and VPD Officer Safety Training Unit.

Officer Safety Training: must be successfully completed at initial training and then recertification successfully completed every 3 years thereafter.

Respirator fit testing: must be completed on a yearly basis.

11.2 Release from Program for Failure to Meet Training Standards

Failure to successfully complete any required training, or attain and maintain minimum training standards may result in release from the Traffic Authority Unit at the discretion of the Chief Constable or his delegate.

11.3 Delivery of Training

Traffic Authority Unit training must be delivered by, or under the direct supervision of, a police officer who attends the training session and certifies that a Traffic Authority Unit member has successfully completed the required training.

11.4 Outside Training as a Private Citizen

Unless authorized in writing by the Chief Constable or their delegate, a Traffic Authority Unit member who takes training courses other than those prescribed by the Departmental standard does so as a private citizen and not in their official capacity as a Traffic Authority Unit member.

11.5 Outside Training Does Not Constitute Required Training

Training courses other than those prescribed by the Departmental standards do not constitute any part of the required Traffic Authority Unit program commitment unless authorized. Outside training records may be placed in a member's individual file for information purposes.

City Learn Courses: The City of Vancouver offers free courses to City of Vancouver employees, and any Traffic Authority Unit member who has achieved the **500 hour mark** is eligible to sign up for a City Learn course. Approval for the course must come from the Traffic Authority Coordinator prior to registration for a City Learn Course. Those members seeking to advance to supervisor status should be encouraged to take related courses offered by City Learn.

11.6 No Exemption from Required Training

A Traffic Authority Unit member who takes outside training courses will not be exempt from prescribed Traffic Authority Unit training or qualification requirements.

11.7 Training Records

Traffic Authority Unit training records must be available for inspection or audit by the Director of Police Services.

12.0 Training Use of Force and Weapons (Other than Firearms)

12.1 Authorization for Use of Force and Other Weapons

Traffic Authority Unit members are equipped with weapons authorized by the Chief Constable other than firearms, and must be trained in the use of such weapons in accordance with department and/or provincial standards for the use of such weapons.

12.2 Suspension or Release from Program for Failure to Meet Training Standards

Failure to successfully complete any required training in the use of force or use of weapons or to attain and maintain minimum training standards may result in suspension or release from the Traffic Authority program.

12.3 Requirement for Demonstrated Skills, Knowledge and Ability

A Traffic Authority Unit member who is authorized by the Chief Constable to receive training in the use of force and weapons, other than firearms, must demonstrate and be certified, in accordance with standards prescribed by the Police Act, the necessary skills, knowledge, and ability in the use of force *prior to* being assigned to *any* activities where the use of force or weapons may be required.

12.4 Delivery of Use of Force and Weapons Training

Traffic Authority Unit force options training must be delivered by certified use of force instructors, under the supervision of a police officer who attends the training session and verifies in writing that a Traffic Authority Unit member has successfully completed the required training.

13.0 Uniforms and Equipment

13.1 Restrictions on Uniform Design

Traffic Authority Unit members shall wear uniforms as approved by the Chief Constable but distinguishable from the uniforms of regular police officers.

Traffic Authority Unit uniforms, insignia and identification must not be used for purposes other than participation in authorized program activities.

13.2 VPD Regulation and Procedure Manual Section 5.4 Uniform and Dress

Section 5.4.15 – Insignia of Rank-Reserve – Traffic Authority Uniforms

1. All Traffic Authority members shall wear a uniform that clearly displays the wording 'TRAFFIC AUTHORITY'.
2. The Traffic Authority shoulder flash, bearing the Vancouver City crest and designating the Traffic Authority members as Special Constables, shall be affixed to all issue uniforms where appropriate.
3. Traffic Authority members shall comply with the same standards of Dress/ Department and Personal Grooming/ Appearance as sworn members. (Section 5.4.4: Dress/ Department –Police member; Section 5.4.7 Personal Grooming)
(See Appendix 4, 5)

13.3 Duty Uniform/ Equipment List

Only issued and current uniforms may be worn while on duty, and any old or outdated uniform pieces or equipment must be returned to stores.

The Traffic Authority Unit duty uniform consists of the following issued equipment:

- light blue shirt with Special Constable shoulder flashes
- black t-shirt/ undershirt/ dry fit shirt
- body armour
- polar fleece jacket
- Gortex rain jacket
- lightweight summer jacket
- navy blue cargo pocket pants
- trouser belt/ equipment belt/ belt keepers
- handcuffs/ pouch; baton/ pouch; pepper spray/ pouch
- green gloves
- helmet
- radio ear piece/ communication kit
- whistle and whistle lanyard
- reflective vest
- flashlight and orange cone, flashlight ring
- boot style footwear (reimbursed through boot allowance up to \$275.00)

Duty uniform shirts should be worn with an undershirt. When an undershirt is worn and showing at the neckline, it shall be black in colour and crew neck in style. No other colour or style is permitted. Duty uniform shirts shall be worn buttoned to the second button from the neckline.

Body armour shall be worn concealed under the uniform shirt.

Members shall not wear visible civilian clothing while in uniform. Wearing of part civilian clothing/ part uniform is not permitted.

If it is necessary to wear a neck scarf, it shall be navy blue or black in colour.

***For safety reasons**, uniform shirts and jackets should be covered up when travelling between home and work as a Traffic Authority member, so that the shoulder flash is not visible to the general public.

13.4 Safety Equipment

The Chief Constable may authorize Traffic Authority members to be issued with police safety equipment appropriate for the mandate and authorized activities.

W.C.B. Requirements: The intent of the following requirements is to ensure the workers are easily seen, readily identified, equipped to signal the motoring public and are protected from the uncontrolled movement of vehicular traffic.

-safety headgear – OH & S Regulation 8.2 requires a traffic control person to be provided with and use protective headgear to protect them from falling, flying, thrown objects, or other harmful contacts. Protective headgear, with an adequate harness must be worn at all times while directing traffic or working on the road or in or around moving vehicles. (i.e.: issue helmet)

- high visibility vests - High visibility apparel, such as a vest or a jacket of a highly visible colour with the proper amount of retro-reflective material in accordance with WCB standards must also be worn. For night time use, each traffic control person must also be equipped with a flashlight and orange baton.

*Traffic Authority members may wear a combination of issued uniform as long as the outer layer consists either of the reflective vest or yellow jacket with reflective material. At no time should a Traffic Authority member be directing traffic without the above mentioned high visibility apparel.

- safety footwear – **Substantial safety footwear, which offers adequate protection for the hazards on the site**, must also be worn. In most cases this will just mean a good substantial leather boot or shoe.

13.5 Traffic Authority Unit Identification

Traffic Authority uniforms and equipment, including all forms of Traffic Authority Unit identification must be approved by the Chief Constable.

The Department may establish a committee of Traffic Authority members to review and make recommendations regarding uniforms and equipment to determine what provides the best materials to meet the programs requirements.

13.6 Uniform and Equipment are Property of Issuing Agency

Uniforms and equipment, including all forms of Traffic Authority Unit identification, remain the property of the issuing agency. Traffic Authority Unit members must return all uniforms and equipment and Traffic Authority Unit identification to the department upon request or upon being suspended or released from the Traffic Authority Unit or upon request when commencing a leave of absence from the program.

13.7 Responsibility to Maintain Clothing and Equipment

Traffic Authority Unit members are responsible to maintain and safely store in a reasonable manner uniforms and equipment to the standard established by the police department.

13.8 Replacement of Lost or Damaged Clothing and Equipment

Traffic Authority Unit members may be responsible to pay costs associated with replacing clothing or equipment that is lost or stolen or damaged due to carelessness or neglect. Any lost, stolen or damaged property must be reported to the Traffic Authority Unit Coordinator in writing, including the circumstances and date of the loss, theft or damage. If no negligence or carelessness is involved, the uniform or equipment may be replaced through stores supply at no cost to the member.

14.0 Member Responsibilities

14.1 Schedule Availability

All Traffic Authority members are responsible for keeping their availability up to date on the scheduling system used by the unit, and to check for and respond to assigned shifts in a timely manner.

Switching or cancelling shifts: Once a T/A member has committed to a shift, if they can no longer fulfil their commitment, they must notify the T/A coordinator *by phone* and state the reason they cannot attend. If the T/A coordinator is available to find a replacement (i.e.: during normal work hours), they will attempt to do so. If the cancellation occurs outside of normal T/A coordinator work hours, the member unable to work must attempt to find their own replacement, and then must notify the TA Coordinator of the switch and the reasons why.

Switching or cancelling of shifts should only be done as a last resort or under exigent circumstances, as the expectation is that a member will work a shift they have accepted.

14.2 Booking Off Sick

If a member is not able to attend a shift or training due to being sick, they must notify the Traffic Authority Coordinator *by phone* as soon as possible. If extended sick leave is anticipated, the Traffic Authority Coordinator must be advised. (See also sections 17.0 and 18.0)

14.3 Address/Phone/Email or Name Changes

The Traffic Authority Coordinator must be advised in writing of any changes to a member's name, address, phone or email within two weeks of the change.

14.4 Shift End Report

Member or supervisor responsible for submitting a shift end report shall do so within 24 hours of completion of the shift to the person responsible for assigning the shift.

15.0 Short Notice/Emergency Callout Procedures

Policy Manual Update August 2006

Procedure:

15.1 Short notice 'event' requiring TA members immediately (ex: extended power outage/ traffic lights out)

- Traffic Authority Coordinator or alternate will be contacted by phone.
 - office: 604-717-3094
- TA Coordinator will set up an 'event' in People Schedule to facilitate calling out members who show available.
- TA members will be contacted by phone and requested to come in immediately.
- If TA Coordinator is not available (A/L, course etc.), then the Sgt. i/c EOPS will be contacted to make the necessary arrangements.
- TA's showing 'last minute callout' in their 'attributes' section should be called out first.

15.2 Emergency situation/ disaster requiring large callout.

- Traffic Authority Coordinator or alternate will be contacted by phone with details on 604-717-3094.
- TA Coordinator will phone each Team Leader and/or Assistant Team Leader and advises of the situation, requirements and meet point.
- Team Leaders/Assistant Team Leaders will phone each member of their team to find out who can come in and give instructions of where to meet/ what's required.
- Team Leaders and/or Assistant Team Leaders will report back to TA Coordinator within one hour with names as to who is available immediately.
- TA Coordinator will liaise with EOPS Sgt/ Inspector regarding deployment of TA's and relays information to Team Leaders/ Assistant Team Leaders.
- TA Supervisors will be identified and given instructions regarding deployment of TA members.
- TA Coordinator will set up an 'event' on People Schedule after the fact to facilitate pay for TA members.
- If the TA Coordinator is not available (A/L, course etc.) then the Sgt. i/c EOPS will be contacted to make the necessary arrangements.

16.0 Evaluations

16.1 Evaluations

Traffic Authority members will be subject to evaluations in order to manage their performance and assess continued suitability. Evaluations will be conducted by the Traffic Authority Coordinator in conjunction with the VPD Traffic Control Training Officer, the VPD Training Section, and the VPD Officer Safety Training Unit. Evaluations will become part of the personnel file of the member.

16.2 Documentation and Inspection

Individual Traffic Authority Unit member evaluations must be documented and made available for inspection and audit by the Director of Police Services.

16.3 Additional Evaluations

Individual Traffic Authority Unit members may be subject to such additional evaluations as may be required by the Chief Constable, or delegate.

16.4 Purpose of Evaluation

The purpose of the evaluation is to:

- (a) discuss and document performance and suitability;
- (b) identify training needs; and
- (c) assist managers and coordinators with an assessment of the program.

16.5 Suspension or Release from the Traffic Authority Unit

Traffic Authority member evaluations may be used to assess the need for suspension or release from the Traffic Authority Unit.

16.6 Failure to Participate in Evaluations

Individual Traffic Authority members who fail to participate in required evaluations or to comply with actions identified by the evaluation may be suspended or released from the Traffic Authority Unit.

17.0 Release or Suspension from the Traffic Authority Unit

17.1 Voluntary Resignation

A Traffic Authority Unit member may voluntarily resign from the program at any time by submitting a letter of resignation to the Chief Constable, or delegate.

17.2 Discretionary Release or Suspension

(a) Reasons for suspending/releasing a Traffic Authority Unit member from the program include, but are not limited to: breach of the British Columbia Police Code of Ethics, breach of the Police Act Code of Professional Conduct Regulations, criminal investigation, failure to comply with program requirements, failure to successfully complete any required training, and/or to maintain minimum training standards, and personal unsuitability for the program.

The decision of the Chief Constable, or delegate, to suspend or release a Traffic Authority Unit member from the program is final. Should this action be taken by a delegate, the member may request a review of such action by the Chief Constable and the results of any such review, if conducted, will be final.

17.3 Mandatory Suspension

A Traffic Authority member under investigation for a breach of conduct or who has been charged with a serious offence must be immediately suspended from the Traffic Authority Unit, for a duration determined by the Chief Constable, or delegate.

17.4 Return of Uniforms, Equipment and Identification

A Traffic Authority Unit member must return all uniforms, equipment and identification to the police department upon:

- (a) voluntary or involuntary release from the Traffic Authority Unit,
- (b) suspension from program activities, or
- (c) leave of absence longer than 6 months (see 19.7 & 18.7)

All uniforms, equipment and forms of identification issued to a Traffic Authority member remain the property of the Vancouver Police Department and must be returned to the Department upon request. Failure to return such equipment will result in a financial assessment based on the value of that property.

18.0 Absence Due to Accident, Injury or Medical Reasons

18.1 Consultation with Private Insurance Agent

Traffic Authority Unit members are advised to consult their insurance agents to ensure their private insurance is not compromised by participation in the Traffic Authority Unit.

18.2 WCB Coverage

For the purpose of the Workers' Compensation Board (WCB), Traffic Authority Unit members are deemed to be employees of the City only while performing Traffic Authority Unit activities or engaged in training activities that have been authorized by the Chief Constable, or delegate.

18.3 Responsibilities of the Traffic Authority Coordinator in regards to WCB

A police officer, delegated by the Chief Constable to manage the Traffic Authority Unit, will contact and obtain appropriate claim forms from the Insurance Company and/or WCB;

- (a) ensure that a complete report is prepared about the incident giving rise to the claim, and to provide a copy of the report to the Chief Constable and to the Attorney General or Delegates
- (b) complete and provide to the Insurance Company and WCB all additional required forms and reports on the incident giving rise to a claim and for providing copies of all police policy that may affect the claim

18.4 Return to Program Activities

Prior to returning to program activities, a Traffic Authority member who has been absent from the program for medical reasons or as a result of accident or injury (regardless of whether or not an insurance or WCB claim is made) may be requested to provide medical certification of fitness from a physician familiar with the physical requirements of the Traffic Authority program, or attend for a medical exam with the City physician.

18.5 Reporting to the Attorney General

All claims made pursuant to the death and disability insurance, identified to the Chief Constable or delegate, must be immediately reported to the Attorney General or delegate.

18.6 Medical Disability, Accident or Injury while Not Engaged in Program Activities

A Traffic Authority member who is absent from their regular employment due to medical reasons, accident or injury, must report to the delegated police officer responsible for the Traffic Authority Unit to discuss their participation in the program during their recuperation.

18.7 Return of Identification and Property during Absence

A Traffic Authority member who is absent for longer than *six months* from the program due to medical reasons, accident or injury may be required to return all forms of identification and property to the police agency.

19.0 Leave of Absence

19.1 Restrictions on Leave of Absence

Traffic Authority members must request an authorized leave of absence from the program for any leave extending beyond *three months*. The maximum allowable leave of absence is one year, after which the member's appointment to the Traffic Authority Unit may be cancelled.

19.2 Review of Leave of Absence

A Traffic Authority member's leave of absence is subject to review after six months.

19.3 Deemed Resignation

An unauthorized absence from the Traffic Authority Unit of more than three months will be deemed to be a resignation and the Traffic Authority member's appointment may be cancelled. An unauthorized leave of absence includes; failing to update schedule availability for three consecutive months and/or failure to accept any shifts in three consecutive months *without reasonable explanation to the Traffic Authority Coordinator*.

19.4 Peace Officer Authority Not in Effect

A Traffic Authority member's peace officer appointment is not in effect during the term of a leave of absence.

19.5 Requirement for Written Request

A Traffic Authority member's request for leave of absence must be submitted in writing and include:

- (a) reason for request
- (b) supporting documentation (medical, educational, etc.)
- (c) date leave is to commence
- (d) date member is expected to return to the program, and
- (e) an acknowledgement of awareness and acceptance of the Traffic Authority Unit Leave of Absence policy signed by the member and placed on the member's individual file

19.6 Approval of Leave of Absence

The Chief Constable or delegate must approve a request for leave of absence in writing.

19.7 Return of Uniforms, Equipment and Identification

Prior to commencing a leave of absence, a Traffic Authority member may be required to return to the department all uniforms, equipment and forms of Traffic Authority Unit identification.

19.8 Prohibition of Activities during Leave of Absence

During the term of the leave of absence a Traffic Authority Unit member must not be permitted to participate in any authorized program activities or training unless arranged with the Chief Constable or delegate.

Note: WCB and insurance coverage do not apply to Traffic Authority member during a leave of absence.

19.9 Evaluation and Testing

Prior to returning to the program, a Traffic Authority member may be evaluated and tested to assess their skills, knowledge and ability required to continue authorized activities and the member may be required to take remedial training or pass a challenge exam.

19.10 Return to Program after one year

Where the leave of absence exceeds twelve months duration, a Traffic Authority Unit member may be subject to the same process and procedures as a recruit, including without limitation, medical and physical evaluations, interviews, polygraph exam, security clearance and an assessment of personal suitability for the program.

19.11 Inspection and Audit of Documentation

All documentation relating to the leave of absence must be placed on a Traffic Authority member's individual file and made available for inspection/audit to the Director of Police Services.

20.0 Authorized Traffic Authority Unit Associations

20.1 Traffic Authority Unit member's Attendance at Conferences

Attendance at a conference in the capacity of a Traffic Authority member, or where a participant intends to be identified as a Special Municipal Constable, or as having peace officer status, must be authorized by the Chief Constable, or delegate, prior to attendance at a conference.

APPENDICES

Appendix 1. VPD RPM Section 2.1.12 - Traffic Authority

2.1 Department Management

2.1.12 Traffic Authority

(Effective: 2004.07.15)

The Traffic Authority is under the command of the Inspector i/c Emergency & Operational Planning Section. Members are appointed as Special Municipal Constables pursuant to Section 35 of the Police Act.

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Last modified: December 7, 2015

Appendix 2. VPD RPM Section 2.9.6 (i) News Media

2.9 Information Management

2.9.6 (i) News Media

(Effective 2009.07.07)

POLICY

1. The public has a right to know about the services the Department performs on their behalf, but this right is not absolute. The public's right to information about individuals, who come into contact with police, is curtailed by the *Freedom of Information and Protection of Privacy Act*. Furthermore, many operations and tactics must remain confidential, in order to maintain their effectiveness. Subject to such restrictions, the Department's philosophy is to be as open and cooperative with the news media as possible, both in a reactive and proactive mode.

Release of Information

2. The release of crime information and other information of interest to the news media is the responsibility of the Community and Public Affairs Section; however:
 - a. members from other Sections of the Department may also release information, when asked to lend their expertise by the Community and Public Affairs Section or permitted in accordance with this policy;
 - b. when no one from the Community and Public Affairs Section is available, a supervisor at a scene may release crime information; and
 - c. Section Managers may approve interviews of their members and may delegate this approval as appropriate, and must, whenever possible, notify Community and Public Affairs prior to the interview.
3. All media queries shall be referred to the Community and Public Affairs Section, and if a member of this Section is not available, the queries shall be referred to the Duty Officer.

Information not to be released

4. Members may not release crime information to the media when release of the information could:
 - a. jeopardize or hinder an investigation or operation (e.g. the amount of money obtained in a holdup, the release of details of a crime which could be known only to the perpetrator, or the release of confidential investigative techniques or operational tactics which could reduce their effectiveness);
 - b. endanger human life (e.g. a ransom kidnapping or the use of an informant);
 - c. interfere with the sensitivity of reporting a suicide;
 - d. prejudice court proceedings or violate the rights of an accused (e.g. disclosing any confession or statement made by the accused, or commenting on cases before the courts); and
 - e. violate the law (e.g. releasing the name of a Young Offender or the names of family members which may tend to identify the youth).
5. In order to protect people from unreasonable invasions of privacy, members shall not release the following information about individuals, unless the person involved consents or the Community and Public Affairs Section authorizes its release after consultation with the Information and Privacy Coordinator:
 - a. names of deceased persons unless next-of-kin consent to the release of the name;
 - b. names of suspects, unless confirmed criminal charges have been laid;
 - c. names of victims and witnesses;
 - d. address of a victim, witness, suspect or accused;
 - e. the street address of crimes where the location is a residence; and
 - f. racial origin of accused (except as provided in paragraph 6).
6. The *Freedom of Information and Protection of Privacy* restricts media access to investigation reports. Members shall not give or show anyone in the media investigative reports, except in accordance with this policy or Departmental information sharing policies.
7. The media shall be informed of the reason why information is withheld whenever possible.

Information that may be released

8. When a member provides information to the media about an incident, the following types of information can generally be provided:
 - a. nature and time of the incident - including a general description of what appears to have taken place;
 - b. location of the incident; however, if the location is a residence, only the hundred block where it occurred may be released;
 - c. description of suspect(s) involved - adult suspects may be named once charged with a criminal offence relating to the incident; and
 - d. except as provided in section 9, no reference is to be made to the race, colour, ethnicity or sexual orientation of the suspect or accused; and
 - e. the victim's age and gender.

Release of Suspect Information to the News Media

9. If a suspect is still at large and it is considered necessary to assist in identifying and apprehending the suspect, in order to protect the public, members may release information related to the suspect, including name, aliases, race, colour, ethnicity or sexual orientation. **Extreme caution must be exercised when releasing this information so as not to unduly focus on race, colour, ethnic background or sexual orientation. This information should only be released when it is relevant and essential to the investigation.**
10. Police photographs of suspects, accused or convicted persons may be released to the news media for the purpose of locating the same when wanted by the police. Members shall ensure the release of the photograph will not affect any on-going investigations. The request shall be directed through the Director of Community and Public Affairs. Once the suspect is captured or the case is otherwise concluded, the requesting member must notify the Community and Public Affairs Section, who will notify the news media of that result.

Public Interest Health and Safety Warnings

11. Information about a risk of significant harm to the safety of the public or a group of people, or information which is for any other reason clearly in the public interest must be disclosed without delay to the public or the affected group. **If the information to be released pertains to an individual, he or she must be notified prior to the public disclosure** (where impracticable, notification shall be made by mail to their last known address).
12. The Community and Public Affairs Section shall liaise with the Superintendent, Investigative Services, to seek authorization for the disclosure of public warnings and the requisite notification. Notwithstanding the provisions of sections 4 and 5, the public interest is paramount in determining what information to release.

Release of Information about Members

13. Pursuant to *Freedom of Information & Protection of Privacy Act*, the name of a member of the Vancouver Police Department who has been suspended shall not be released to the media; only confirmation of the suspension will be given to the media.
14. If criminal charges against a member are approved, name of the member may be released to the media. Further information may be disclosed, as required by the processes outlined in the Police Act, and to the extent necessary to prosecute a violation of law.

Media Filming in a Public Place

15. The news media can be restricted from entering a crime scene, as with any other citizen; however, members must be aware that news media, and any other citizen, have the right to film or photograph anyone or any event in a public place, including police officers and their actions.
16. Where a concern exists about the identity of a suspect, their face should be obscured before being brought into a public place. In the case of a young offender arrest, members should, if practical, advise the media prior to the young offender being brought into a public place.

Media Filming with the Consent of the Department

17. Where members of the Department have media personnel on a ride-a-long or are working with the media, members shall not allow the media to accompany them into commercial or residential premises without the member first obtaining the consent of the occupants. Members shall advise the occupants that they may refuse entry to members of the media.

Written Media Releases

18. All written media releases and media advisories are to be produced solely by the Community and Public Affairs Section, and if practicable, they will be approved by the Director before distribution to the media. Releases may be sent to involved members for their information and verification, if appropriate.

Feature Stories

19. A request by the media for a feature story or in-depth interview with members must be submitted in writing to the Community and Public Affairs Section. The request will be forwarded to the Director, who will liaise with the appropriate Division Commander. Interview and feature story requests are subject to the member's willingness to participate. The Director, shall advise the interviewer of subsections (2), (3), (4), and (6).

Pre-Planned Events

20. A member responsible for a pre-planned major event/ceremony, involving the public or a large number of VPD members, or where the media is to be in attendance, shall inform the Ceremonies and Events Coordinator, Community and Public Affairs Section. Any request for the attendance of a member of the Community and Public Affairs Section shall be submitted to the Director of the Section. The member responsible for the event and the Ceremonies and Events Coordinator will ensure the accurate and timely release of information to the media.

Requests for appearances

21. All requests for public appearances by specialty squads or units (e.g. Dog Squad, Mounted Squad, Ceremonial Unit, Pipe Band) shall be referred to the Community and Public Affairs Section.

Statements made on behalf of the Department

22. A member who intends to speak to the media on behalf of the Department must provide advance notice to the Community and Public Affairs Section.

Corrections

23. All due diligence will be applied to ensure the accuracy of every statement, written or verbal, issued by the members or the Community and Public Affairs Section. If a substantive error is made, for any reason, every effort will be made to correct the error and inform the media and any member of the public or the department who may be affected, of that correction.

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Last modified: November 24, 2010

Appendix 3. VPD RPM Section 4.1.4 Conflict of Interest

4.1 Professional Standards

4.1.4 Conflict of Interest

(Effective: 2011.12.16))

POLICY

"Conflict of Interest" means a conflict between duties and responsibilities as an employee of the Vancouver Police Department, and a employee's personal and/or business interests, and includes actual or perceived conflicts and those situations which have the potential to be actual or perceived conflicts. Examples of conflicts of interest include, but are not limited to, employment, business interests or volunteer activity in: private security, licensed establishments, bodyguard services, private investigation, armored car services and insurance adjusting.

A conflict of interest may exist whether or not a remunerative advantage has been or may be conferred on the employee. In order to ensure that honesty and impartiality are beyond doubt, employees shall not place themselves in a position where they are under obligation to any person who then might benefit from special consideration or favour, or seek in any way to gain special treatment from them.

PROCEDURE

Secondary Activity

Definition: In this section, "secondary activity" means employment outside the Department, any private business activities or interests, and those volunteer activities in which the employee uses unique policing skills, knowledge or abilities that may also be used in the course of their employment with the Department.

1. An employee's primary occupational responsibility is to the Vancouver Police Department. An employee's secondary activity shall not negatively impact their fulfillment of the duties and responsibilities of employment with the Department.
2. VPD employees shall seek written approval from the Chief Constable, through the Executive Officer Section, prior to engaging in a secondary activity, and may only engage in the secondary activity upon the approval of the Chief Constable.
3. VPD employees shall not engage in secondary activity that:
 - a. interferes with or adversely impacts, or is likely to interfere with or adversely impact, the performance of duties and responsibilities as an employee of the Department; or
 - b. places, or is likely to place, the employee in a position of conflict of interest.

4. When the issue of a potential conflict of interest arises, as the result of a employee's secondary activity, the matter shall be referred to the Chief Constable for review and resolution.

Political Activity by VPD Employees

5. The Department supports its employees' individual and democratic rights to engage in political activity. However, employees' activities must not infringe on the public's right to an impartial police service.
6. In order to ensure an impartial police service members shall, while on duty or in uniform, refrain from any public expression of political opinion.
7. A member may, while off duty and not in uniform, attend, participate and express views on any issue not directly related to the member's responsibilities as a police officer as long as:
 - a. The member does not associate their position as a police officer with the issue;
 - b. Represent their views as those of the Department.
8. Other than at a Departmentally sanctioned event, members shall not appear in uniform, either on or off duty, at any:
 - a. rally;
 - b. march;
 - c. political or religious event;without first obtaining approval in writing from the Chief Constable or his designate. Members wishing to obtain permission shall submit a request in writing, through the appropriate chain of command, to the Chief Constable outlining:
 - a. the nature of the event;
 - b. the identity of the organization sponsoring the event;
 - c. the member's affiliation to the organization; and
 - d. the reason the member feels it would be beneficial to appear in uniform.
9. A employee's participation in political activity, whether an appointment to a Board or candidacy in an election, is regulated by Federal, Provincial and Municipal legislation. Appointment, candidacy or service by an employee is prohibited if it interferes with the member's duties as a police officer or places or is likely to place the employee in a position of conflict of interest.

Confidentiality

10. All employees of the Department, through the nature of their duties and course of employment, have degrees of access to confidential material and information. No employee shall disclose any confidential information unless authorized. Use of confidential information for personal benefit is prohibited.

Gifts and Gratuities

11. Employees of the Department shall not solicit, either directly or indirectly, gifts, gratuities or compensation, either in cash or in kind, for services performed in the line of duty. The acceptance of a gift or gratuity is permissible where the gift or gratuity is:
 - a. offered as the result of a customary or hospitable practice;
 - b. of insignificant economic value;
 - c. not viewed as placing any obligation on the member or impact their impartiality; and
 - d. would not compromise the integrity of the Department.
12. All other gifts must be directed to the Chief Constable for disposition.
13. Employees of the Department shall not use their official capacity for the soliciting of funds for any cause without first obtaining the approval of the Chief Constable. (See Section 2.6.3: Donations to the Department).

Last modified: December 17, 2014

Appendix 4. VPD RPM Section 5.4.4 Dress and Deportment

5.4 Uniform and Dress

5.4.4 Dress and Deportment

(Effective: 2014.09.16)

POLICY

The Vancouver Police Department entrusts its members with the responsibility for maintaining a high standard of dress and deportment. Uniformity is desirable and conformity to Department standards is required. The BC Police Act (Uniforms) Regulations provides the uniform standard adhered to by the Department.

GENERAL PROCEDURES

6. Members on duty shall be clean and neat in appearance.
7. Members shall not make any modification to their issue uniform or accessories unless otherwise authorized.
8. Members shall only wear their uniform and equipment while on duty. If a member wishes to attend a non-police function in uniform, they shall first obtain authorization from their Inspector (See RPM Section [4.1.4 - Conflict of Interest](#)).
9. Duty uniform shirts shall be worn with a black crew neck T-shirt. No other colour or style is permitted. Short sleeve undershirt sleeves shall not extend beyond the end of the short sleeve uniform shirt. Long sleeve undershirts shall not be worn under short sleeve uniform shirts.
10. Duty uniform shirts shall be worn buttoned to the second button from the neckline.
11. Members shall not wear visible civilian clothing while in uniform. Wearing of part civilian clothing/part uniform is not permitted.
12. If it is necessary to wear a neck scarf, it shall be dark navy blue or black in colour.
13. Uniforms must be kept clean and in good repair. Members shall ensure that articles of clothing are kept fastened. Uniformed members shall avoid the practice of loading pockets with articles that detract from their smart appearance.
14. Members shall wear their body armour in accordance with [RPM Section 5.5.4: Body Armour](#).

NAME TAGS

15. While wearing the Standard Operational Uniform, name tags shall be made of cloth, bearing an identification number and/or name and shall be sewn or printed onto the uniform in the following manner:
 - a. Uniform shirt - above right breast pocket and even with the left side flap;

- b. Uniform jacket - above right breast pocket and even with the left side flap;
- c. Fleece - positioned over the right breast;
- d. Sweater - positioned over the right breast; and
- e. Reflective vest - positioned over the right breast.

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Last modified: September 18, 2014

Appendix 5. VPD RPM Section 5.4.7 Personal Grooming and Appearance

Dress/Department

5.4.7 Personal Grooming and Appearance

(Effective: 2005.04.13)

POLICY

It is important that each member of this Department project a professional image. To this end, the Department has adopted the following standards in accordance with current social attitudes. These standards have been developed to enhance employee safety and project a uniform image while recognizing gender differences.

PROCEDURE

UNIFORM DUTIES

Male Members

1. The hair of male members shall be contoured to the general shape of the head, exposing the major portion of the ear, and shall not extend beyond the collar. Hair shall be trimmed at the back, sides, and above the ears to blend with the hairstyle. Hair dyes if used shall be conservative in colour.
2. Sideburns are not to extend below a line horizontal with the bottom of the ear lobe.
3. Members shall be clean shaven except when a beard/goatee is grown according to the following requirements:
 - a. The beard/goatee is to be grown during an absence from duty or while assigned to plainclothes duty for a period sufficiently long enough to grow a beard/goatee;
 - b. The beard/goatee shall be worn with a moustache;
 - c. The beard/goatee shall not be thicker than 2.5 cm;
 - d. The member, upon return to duty or upon reassignment from plainclothes duty, shall present himself to his supervisor for approval. The supervisor will ensure that the beard/goatee is not unsightly and that it is neat, well-trimmed and a credit to the member and the Department;
 - e. Members who are required to use a respirator/mask in the course of their duties shall be clean shaven where the respirator seals the face as per Workers Compensation Board regulations; and
 - f. The beard/goatee shall be modified to accommodate Departmental equipment when operationally required.

*Vancouver Police Traffic Authority Unit
Policy Manual April 2016*

4. Moustaches may be worn, providing they are neat and trimmed and do not extend more than 2 cm beyond the corners of the mouth.
5. Male members are permitted only the following visible jewellery:
 - a. A wrist watch;
 - b. Wedding/engagement or other rings, to a maximum of two. The rings must not have protrusions that may cause injury;
 - c. A maximum of two plain stud type gold or silver ear rings, one stud per ear;
and
 - d. A Medical Alert bracelet

Female Members

6. The hair of female members shall be contoured to the general shape of the head and shall not extend below the bottom of the back of the shirt collar. Hair longer than the stipulated length shall be secured in a safe manner. Bobby pins, combs or other items used to secure hair shall be black or navy blue in colour. Hair dyes if used shall be conservative in colour.
7. Female members may secure their hair in a ponytail if the hair is longer than the bottom of the back of the shirt collar. The ponytail, however, shall not extend past the top of the shoulders and shall be tied on the lower half of the head. Ponytails longer than this stipulated length are not permitted and members shall secure their hair in a safe manner conforming to the standard as outlined in section 6.
8. Members' hairstyles must not present a hazard in the execution of duties or prevent or interfere with the proper wearing of any police head dress or equipment. Pony tails, pig tails or similar styles are not permitted.
9. When worn, bangs shall not extend lower than the top of the eyebrows and shall not be visible when wearing headgear.
10. Cosmetics, if used, will be applied conservatively so as not to detract from the uniform.
11. Female members are permitted only the following visible jewellery:
 - a. A wrist watch;
 - b. Wedding/engagement or other rings, to a maximum of two. The rings must not have protrusions that may cause injury;
 - c. A maximum of two plain stud type gold or silver ear rings, one stud per ear;
and
 - d. A Medical Alert bracelet.

Appendix 6. Special Municipal Constable Acknowledgement
SPECIAL MUNICIPAL CONSTABLE ACKNOWLEDGEMENT

1. The Vancouver Traffic Authority Program is a paid duty program. The Vancouver Police Board on the recommendation of the Chief Constable appoints Traffic Authority members. Appointments may be rescinded at any time at the discretion of the Chief Constable and that decision is final. Active participation, meeting training standards and personal suitability for the program will be considered in evaluating new and renewal appointment.
2. Traffic Authority member appointments are restricted peace officer appointments and authority is limited to the authority required to perform specific authorized duties, except when called upon by a police officer, who in calling upon a Traffic Authority member for assistance, assumes direct supervision of that Special Municipal Constable.
3. Traffic Authority members are paid employees of the City of Vancouver, under the operational command of the Vancouver Police Department, whose primary purpose is to participate in paid traffic duty assignments on an unarmed basis.
4. Policies of the Vancouver Police Department govern the Vancouver Traffic Authority program. All regulations and policies are subject to amendment from time to time. In the event that I do not wish to comply with the Department's policies, I will voluntarily resign from the Vancouver Traffic Authority Program.
5. Traffic Authority members are subject to the Police Act and all Police Act Regulations including the Code of Professional Conduct Regulation. Failure to comply with the Professional Code of Conduct Regulation, the Act or any other Regulations may result in dismissal from the Vancouver Traffic Authority. I agree to comply with the Code of Professional Conduct Regulation, the Act, and any subsequent amendments that may be adopted by the Chief Constable. In the event that I do not wish to comply with the Code of Professional Conduct, the Act, or any of the other Regulations, I will voluntarily resign from the Vancouver Traffic Authority.
6. Members of the Vancouver Traffic Authority Program are protected from the risk of personal civil liability incurred in the course of their duties as a Traffic Authority member except where the Traffic Authority member has, in relation to the conduct given rise to the action, been guilty of dishonesty, gross negligence, malicious or wilful misconduct or where the cause of action is libel or slander.
7. During the performance of authorized duties a Traffic Authority member must carry an identification card and badge issued by the Vancouver Police Department, and must produce that card and badge upon request. When not performing authorized duties, a Traffic Authority member must not identify himself/herself as a Traffic Authority member, or as having any powers greater than a citizen has, other than when called upon to provide assistance to a police officer.
8. All uniforms, equipment and forms of identification issued to a Traffic Authority member remain the property of the Vancouver Police Department and must be returned to the Department upon request. Failure to return such equipment will result in a financial assessment based on the value of that property.

I have read and understand the above statements and wish to participate in the Vancouver Traffic Authority Program.

Date: May 5, 2015

Signature: _____

(print name) _____

Date: May 5, 2015

Signature: _____

(witness)

Appendix 7. Police Act Oath of Allegiance



POLICE ACT, R.S.B.C. 1996, c. 367

POLICE OATH/SOLEMN AFFIRMATION REGULATION

SPECIAL MUNICIPAL CONSTABLE

TRAFFIC AUTHORITY PROGRAM

I, **insert name** do (swear/solemnly affirm) that:

- I will be faithful and bear true allegiance to her Majesty Queen Elizabeth the Second, Queen of Canada, Her Heirs and successors;
- I will, to the best of my power, cause the peace to be kept and prevent all offences against the persons of Her Majesty's subjects;
- I will faithfully, honestly and importantly perform my duties as a Special Municipal Constable for the Traffic Authority Program.

Sworn/affirmed before me at Vancouver, British Columbia this day of February 2014.

Signature

A Commissioner for taking Affidavits in
and for the Province of British Columbia

Appendix 8. Police Act Special Municipal Appointment



POLICE ACT

SPECIAL MUNICIPAL CONSTABLE APPOINTMENT

VANCOUVER POLICE DEPARTMENT

VANCOUVER POLICE DEPARTMENT TRAFFIC AUTHORITY

Pursuant to Section 35 of the Police Act, R.S.B.C. 1996, c. 367, **insert name here** is hereby appointed as a Special Municipal Constable (Vancouver Police Department Traffic Authority). The authority of this appointment is restricted to the performance of Traffic Authority activities and the training required in support of those activities, as authorized by the Chief Constable, Vancouver Police Department. The authority of the appointment is further subject to the Vancouver Police Regulations and Policies and to operational and administrative policy of the Vancouver Police Department Traffic Authority. This appointment is valid within the jurisdiction of the City of Vancouver or as otherwise directed by the Chief Constable or his/her designate.

This appointment is effective on the date signed and expires when the member leaves the Vancouver Police Department's Traffic Authority Program, or on such date as the appointment is revoked or the appointee is released from the Vancouver Police Department Traffic Authority Program.

Date Signed

Vancouver Police Board