

CALIFORNIA HIGHWAY PATROL

GENERAL ORDER 100.43

REVISED MAY 2015

JOINT OPERATIONAL POLICY STATEMENTS CALIFORNIA DEPARTMENT OF TRANSPORTATION AND CALIFORNIA HIGHWAY PATROL

1. PURPOSE.

a. This General Order contains Joint Operational Policy Statements (JOPS) entered into by the Director of the California Department of Transportation (Caltrans) and the Commissioner of the California Highway Patrol (CHP). These statements are provided to enhance cooperation and understanding between the two Departments in matters of mutual concern.

b. The highway users' interests are best served when both Departments work closely together, cooperate, and understand each other's jurisdictional roles and responsibilities.

c. The CHP is responsible for state highway incident management and law enforcement. The Caltrans is responsible for the operation and management of the state highway system.

d. Specifically, CHP responsibilities include maintaining order and control over the dynamic operation of state highways. These responsibilities are accomplished through traffic incident management, law enforcement, motorist safety services, and overall supervision of motorist activities. Commanders should develop an active and strong interest in furthering the mutual goals and objectives of the two Departments by meeting and consulting regularly with personnel from Caltrans traffic operations, maintenance, construction, and planning offices. The Office of the Commissioner shall be advised of any problems or programs which may have statewide application or require further coordination at the headquarters level.

e. Specifically, Caltrans is responsible for planning, designing, constructing, operating, and maintaining the state highway system. Additionally, Caltrans controls and manages traffic by providing instructions and information to motorists through signs, markings, other traffic control devices, various traveler information services, and the news media. Furthermore, Caltrans is responsible for preparing and responding to incidents and planned lane closures with limited disruption of the traveling public, adjusting the timing of intersection and ramp metering traffic signals,

and activating fixed or portable changeable message signs and highway advisory radio messages.

f. When a situation on the roadway has been deemed to be permanent or long term, it is the responsibility of Caltrans to use all available resources to control and manage traffic. Representatives from each Department will work together to employ the appropriate response to ensure a timely restoration of traffic through a coordinated effort. Field personnel should meet regularly to further mutual goals and objectives.

2. POLICY.

a. Traffic management and control functions administered by both Departments are to be performed in compliance with the JOPS contained in Annex A. Annex A contains policy information on:

- Traffic Control
- Traffic Collisions
- Highway Blockage (Other than traffic collisions)
- Spillage of Commodities (Non-hazardous material)
- Hazardous Waste Spill Cleanup
- Caltrans Call-Out Lists
- Removal of Vehicles from Traveled Lanes (Other than injury collisions)
- Rural Communications
- Transportation Management Centers

b. Departmental personnel shall work closely with Caltrans personnel when planning significant lane closures on state highways. Annex B contains policy information on:

- Planned Lane Closure Policy
- Special Events on State Highways

c. Unplanned events require lane closures on state highways for varied amounts of time. Annex C contains procedures for proper handling of unplanned events, mitigating traffic congestion, and contains policy information on:

- Determining Whether to Restrict or Close the Highway
- Visibility-Related Highway Restrictions and Closures
- Bomb Search Agreement for Explosive Devices on State Highways

d. Special programs that promote safety are of the utmost concern to both departments. Annex D contains policy information on:

- MAIT Engineers
- Pedestrian/Bicycle Safety Programs
- AMBER Alert Activations
- Providing Roadside Rest Area Security
- Freeway Service Patrol (FSP)
- Intelligent Transportation Systems (ITS)
- Median Barrier Openings/Enforcement Pull-Outs
- Changeable Message Signs (CMS) Use

e. Joint solutions for incident management have been agreed upon by both Departments and the California State Transportation Agency. Annex E contains information on these joint solutions:

- Joint Training and ICS
- Quarterly Meetings
- Incident Response Task Force
- Communications
- Regional/Statewide Incident Oversight
- Traveler Information
- Hazardous Waste Contractors

f. Illegal encampment removal on Caltrans right-of-way is conducted with mutual support of both Departments. Annex F contains procedures for the notice and removal.

3. GENERAL.

a. It is the intent of both Departments that personnel at all levels work collaboratively, coordinate their efforts on behalf of the public, and cooperate in identifying and resolving mutual problems. In order to ensure that a close liaison is established and maintained between both headquarters and field personnel, Caltrans district and associated CHP Division staff shall meet at least quarterly to discuss issues of mutual interest or concern. Issues involving established policies and procedures shall be resolved at the lowest appropriate level. The establishment of new policies and procedures within the scope of the attached policy statements shall require headquarters-level approval.

b. Detailed information on operating a Transportation Management Center (TMC) and the approved memorandum of understanding is found in the December 1997 TMC Master Plan. Copies of this plan are available from Enforcement and Planning Division, Special Projects Section.

c. Enforcement and Planning Division, Special Projects Section, is the headquarters-level Caltrans liaison and can be contacted for assistance in transportation planning or resolving related issues.

d. The Commissioner and the Caltrans Director shall be advised of any problems or programs which may have statewide application or which may require further coordination at the headquarters level.

OFFICE OF THE COMMISSIONER`ANNEXES A, B, C, D, E, F

OPI: 063

ANNEX A

TRAFFIC MANAGEMENT AND CONTROL ON STATE HIGHWAYS

DEPARTMENT OF TRANSPORTATION

AND

CALIFORNIA HIGHWAY PATROL

Joint Operational Policy Statement

TRAFFIC MANAGEMENT AND CONTROL ON STATE HIGHWAYS

GENERAL

The California Department of Transportation (Caltrans) and the California Highway Patrol (CHP) share the responsibility for operating the state highway system. Both departments are dedicated to providing mobility and the highest level of safety, service, and security to the public. This is accomplished, in part, through effective traffic control, incident management, and quick clearance of incidents.

California Vehicle Code (CVC) Section 2410 gives CHP the authority to direct traffic according to the law during an emergency. Having this command designation, the CHP is responsible for not only the incident scene, but also the traffic impacts of the activities of other responding agencies. The CHP and Caltrans agree that safe, competent, and quick clearance of incidents is accomplished through communication, training, and teamwork. To that end, both departments strive to increase effectiveness during an incident or event. The following are specific aspects of traffic management and control.

TRAFFIC CONTROL

Representatives from each department will work together employing appropriate response measures and methods of traffic control until normal traffic flow is restored. Traffic control may be provided by personnel, signs, or other traffic control devices. The method used is based upon individual situations and the objectives to be accomplished. The CHP is responsible for directing traffic in the short-term until the situation stabilizes, or until the necessary long-term traffic control measures are put into effect by Caltrans.

Traffic control by CHP officers is commonly referred to as "directing traffic" and is achieved through the use of hand signals, flare patterns, cones, and/or other techniques. This effort is used to handle traffic when the situation is temporary or short-term. Examples include traffic collisions, unusually heavy traffic flow, minor emergency repairs, or any highway disruption where traffic flow will be directed temporarily until the

ANNEX A

TRAFFIC MANAGEMENT AND CONTROL ON STATE HIGHWAYS (*continued*)

condition is relieved or traffic signs, barriers, and/or other control devices can be put to use.

Caltrans or its contractors also direct and control traffic by using flaggers and a variety of other traffic control devices when a state highway is closed or restricted for an incident, planned lane closure, or special event. It is the responsibility of Caltrans to use traffic control devices when the situation is deemed to be permanent or long-term. Traffic control devices include, but are not limited to, cones, barricades, fixed and portable changeable message signs, ramp meters, and highway advisory radios.

In any instance requiring traffic control because of a critical or emergency condition, the first representative of either department arriving on the scene should take necessary action to protect the traveling public.

TRAFFIC COLLISIONS

The CHP has the responsibility for investigating traffic collisions to gather factual evidence for due process and statistical purposes. To assist CHP in performing this duty, authority is granted to restrict the presence of persons not authorized to be in the investigation area. This authority should not be construed as to restrict Caltrans personnel from carrying out their required duties, so long as it does not interfere with the collection of evidence, preservation of life, property, or administering of emergency medical care.

The CHP should notify Caltrans immediately when there are significant traffic impacts as a result of a traffic collision, or when there is damage to the highway facility. Caltrans personnel are responsible for the repair of the damage and restoration of the facility to normal operating conditions.

Copies of collision reports on state highways are provided by CHP to Caltrans for consideration of safety and operational betterments, repair, maintenance, recovery of damage costs from responsible parties and statistical gathering. When frequent collision locations are recognized, Caltrans and the CHP should communicate to determine potential mitigations.

HIGHWAY BLOCKAGE (Other than traffic collisions)

Incidents of unusual nature that affect the use of the highway system can normally be categorized as short-term or long-term incidents.

ANNEX A

TRAFFIC MANAGEMENT AND CONTROL ON STATE HIGHWAYS (*continued*)

A long-term incident would be one requiring prolonged closure of one or more highway lanes pending the completion of repair work to restore traffic. A short-term incident would be one requiring temporary closure of one or more highway lanes where traffic control measures by Caltrans may not be necessary. In both cases, any immediate measures needed to ensure the safe movement of traffic is the joint responsibility of CHP and Caltrans.

SPILLAGE OF COMMODITIES (Non-hazardous material)

Section 23113(a) of the CVC says that the person who causes a material to be deposited (spilled) on a highway shall immediately remove the material or cause the material to be removed. If the spiller cannot comply with the above on state highways, the CHP will notify the spiller and authorize Caltrans to remove the material at the spiller's expense. The CHP will investigate the cause of spills on the highway under its jurisdiction and provide Caltrans with copies of any relevant reports.

HAZARDOUS WASTE SPILL CLEANUP

The CHP issues hazardous material transportation permits on state highways.

Section 2454 of the CVC states it is the responsibility of the CHP as incident commander at the site of a highway hazardous substance spill to coordinate operations at the scene. This section applies to spills on highways under CHP jurisdiction.

Caltrans contracts with private cleanup companies to provide spill cleanup services on highways within its jurisdiction if the spiller cannot comply with the law to remove the material.

When a hazardous waste spill comes to the attention of Caltrans or the CHP, the department first learning of the incident shall notify the other of the spill location, type of material (if known), and approximate quantities of material spilled.

The CHP will respond and initiate the Incident Command System, request any mutual assistance that may be needed, and make legally-required notifications. The CHP should include Caltrans in the established command post operations. Long-term traffic control will be provided by Caltrans.

The CHP will attempt to identify the substance as a hazardous waste classified by U.S. Department of Transportation Title 49 Regulations, California Vehicle Code, Health and Safety Code, or the State Department of Toxic Substances Control, by shipping

ANNEX A

TRAFFIC MANAGEMENT AND CONTROL ON STATE HIGHWAYS (*continued*)

documents, placards or other means. The CHP will then update Caltrans with any new information. Caltrans will either clean up the spill (if within their scope) or call one of their contractors (a list of cleanup contractors is shown on page A-8 and hazardous waste sites are shown on page A-9 and are available in every Caltrans dispatch center). Caltrans will provide personnel trained at the First Responder Operations level to work with the cleanup contractor.

In the event that Caltrans cannot be reached after a reasonable amount of effort (after the CHP dispatcher has attempted to contact Caltrans dispatch or the Transportation Management Center (TMC), and has called three names from or exhausted the approved Caltrans call-out list, whichever occurs first), the CHP incident commander will call the nearest Caltrans' cleanup contractor from the approved list directly to handle the spill and will then notify Caltrans of the name of the contractor used and any pertinent data gathered in the field. A map showing Caltrans district boundaries is included in this Annex as an aid in locating Caltrans contractors (page A-8). Contractors who are not on the approved list shall not be called unless an extreme situation exists (i.e., life-threatening, serious injury, significant environmental or property damage), and pre-approved contractors are not available.

When a spill is considered life-threatening in the judgment of the incident commander (CHP), it may become appropriate for the CHP to call a cleanup contractor directly to ensure immediate identification, containment, and timely remediation. As used in the foregoing, the term "life threatening" means that a hazardous material/waste has been released or has the potential to be released and would endanger life or cause significant injury unless control or cleanup measures are taken immediately.

Unless Caltrans is the spiller, Caltrans will not be responsible for cleanup of hazardous waste spills that are off the Caltrans right-of-way. Caltrans will accept financial responsibility for cleanup work initiated by the CHP in accordance with this agreement, provided that the contractor called is on the Caltrans approved list, or was approved in advance by Caltrans for the specific incident. Work paid for by Caltrans is limited to that performed within the state highway right-of-way limits. Caltrans will not be responsible for waste that flows or drifts beyond the right-of-way line.

For all on-highway hazardous waste incidents, the law enforcement agency with traffic jurisdiction shall notify the Office of Emergency Services (OES) and obtain a control number for that incident.

Caltrans will provide the CHP Special Projects Section with a new list of approved contractors each time the list contained herein is updated.

ANNEX A

TRAFFIC MANAGEMENT AND CONTROL ON STATE HIGHWAYS (*continued*)

CALTRANS CALL-OUT LISTS

Caltrans will prepare and maintain lists of staff available for contact outside normal working hours. The lists of off-duty supervisory Caltrans incident response personnel will be provided to Caltrans 24-hour dispatch centers, where available, and to appropriate CHP communication centers. Caltrans supervisory personnel, or designated alternates named on the lists, shall have the authority to call-back and assign workers to emergency incidents.

REMOVAL OF VEHICLES FROM TRAVELED LANES (Other than injury collisions)

Caltrans personnel may move either occupied or unoccupied vehicles from a highway travel lane to the nearest available shoulder or other refuge location to keep the highway open and safe when such vehicles obstruct traffic. Before any abandoned vehicle can be stored, a peace officer must first determine that the vehicle may be lawfully removed.

RURAL COMMUNICATIONS

Not all Caltrans districts have 24-hour dispatch capability. Those districts without 24-hour dispatch capability may be served by CHP dispatch facilities and operators. Where requested, the CHP will provide Caltrans with the following services:

1. Radio dispatch to Caltrans mobile units during other than normal business hours.
2. Timely notification to designated Caltrans personnel when a traffic collision, meeting criteria established by Caltrans, occurs on a state highway.

The foregoing does not preclude agreements between local CHP Areas and local Caltrans districts covering specific issues of mutual concern or interest.

TRANSPORTATION MANAGEMENT CENTERS

Information on operating TMCs and the approved memorandum of understanding is found in the December 1997 TMC Master Plan.

ANNEX A

TRAFFIC MANAGEMENT AND CONTROL ON STATE HIGHWAYS *(continued)*



WILL KEMPTON, Director
Department of Transportation



M. L. BROWN, Commissioner
Department of California
Highway Patrol



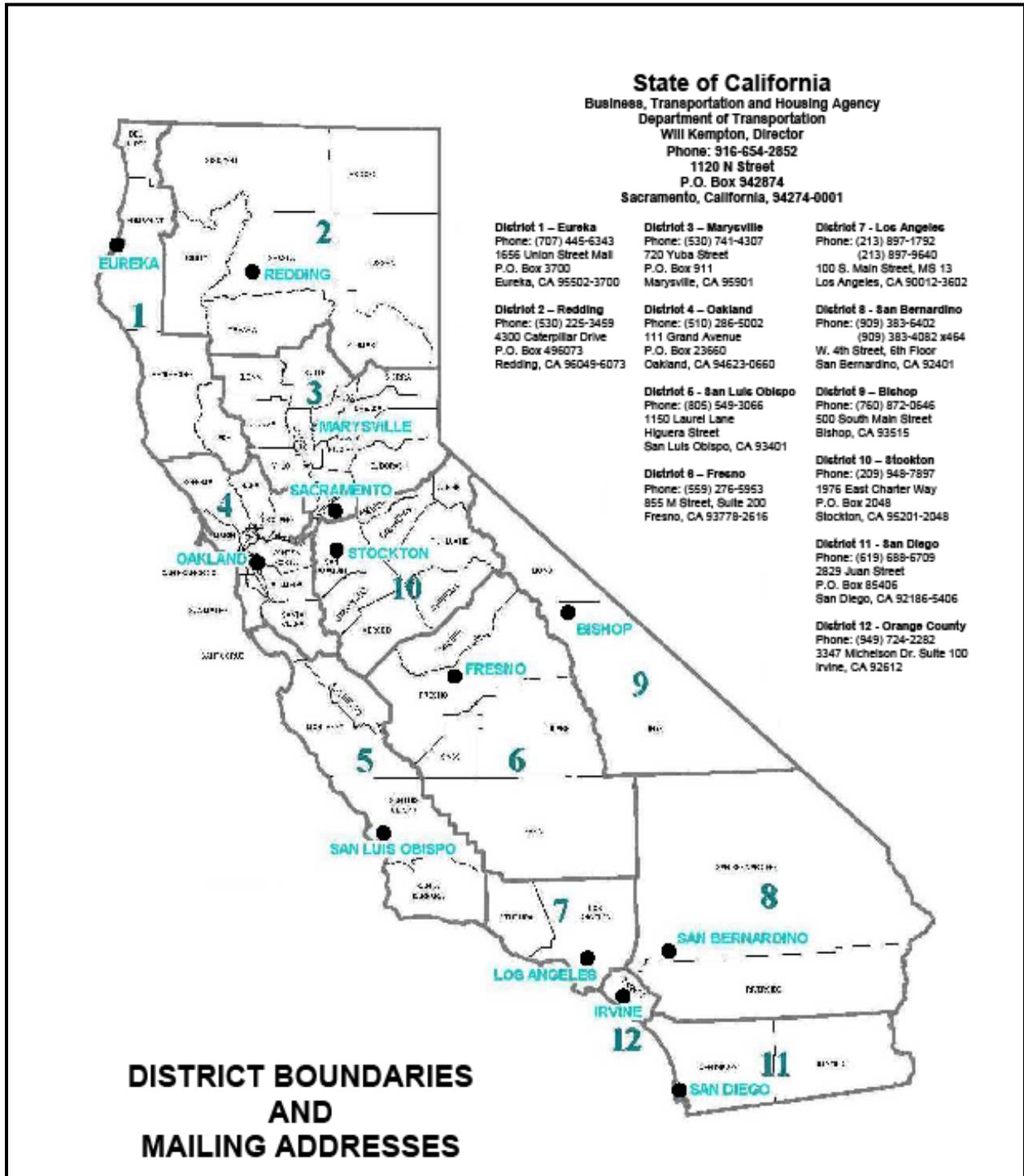
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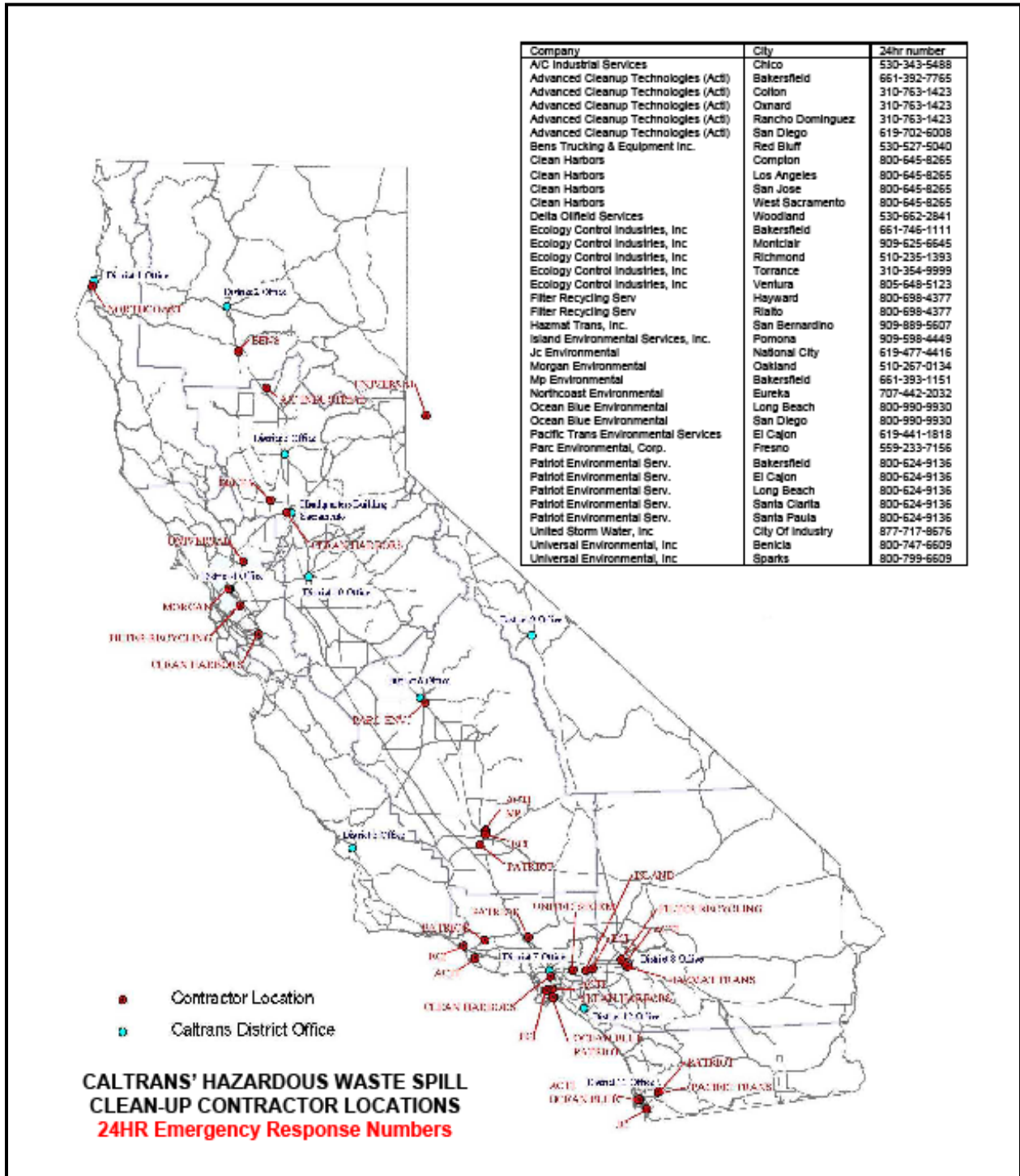
ANNEX A

TRAFFIC MANAGEMENT AND CONTROL ON STATE HIGHWAYS (continued)



ANNEX A

TRAFFIC MANAGEMENT AND CONTROL ON STATE HIGHWAYS (continued)



ANNEX A

TRAFFIC MANAGEMENT AND CONTROL ON STATE HIGHWAYS (continued)



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ANNEX B
PLANNED LANE CLOSURES

DEPARTMENT OF TRANSPORTATION

AND

CALIFORNIA HIGHWAY PATROL

Joint Operational Policy Statements

PLANNED LANE CLOSURES

GENERAL

The California Department of Transportation (Caltrans) and the California Highway Patrol (CHP) share responsibility for operating the state highway system safely and efficiently. Because of the shared responsibilities, planned lane closures impact both Caltrans and CHP. Minimizing motorist delay while maintaining the quality of work and public and worker safety are key goals during planned lane closures.

PLANNED LANE CLOSURE POLICY

Transportation Management Plans (TMPs), including contingency plans, are required for all construction, maintenance, encroachment permit, planned emergency restoration, or other planned activities. TMPs define the actions necessary to ensure a safe workzone that minimizes impacts to motorists. Caltrans district offices will seek input from local CHP personnel for the development of significant TMPs.

When planned lane closures are necessary, some of the techniques or considerations when developing a TMP may include:

1. Consideration of lane closure hour restriction.
2. Use of Construction/Maintenance Zone Enhanced Enforcement Program (COZEEM/MAZEEM).
3. Use of Freeway Service Patrol for workzone.
4. Consideration of predictable heavy congestion, such as commute hours and holidays.
5. Detour routes.
6. Reduced lane widths.
7. Consideration of impact on adjacent roads.

ANNEX B

PLANNED LANE CLOSURES (*continued*)

Decisions on how to handle public safety situations should be made collaboratively between Caltrans and CHP at pre-job meetings and/or when they occur. More information on termination of lane closures is contained under Joint Responsibilities.

A. JOINT RESPONSIBILITIES

1. Lane Closure Review Committees. When a planned lane closure-related traffic delay is expected to exceed 30 minutes, a Caltrans District Lane Closure Review Committee (DLCRC) review and approval is required. The DLCRC will include a local designated CHP representative. The DLCRC decides when to submit lane closure requests that are of an interregional, statewide, environmental, or otherwise of a sensitive nature to the Caltrans Headquarters Lane Closure Review Committee (HLCRC) for their approval. The HLCRC includes a designated CHP Headquarters representative.

2. Contingency Plans. Contingency plans will be developed to address construction process problems, and those for unexpected traffic issues. A contingency plan addresses specific actions that will be taken to restore or minimize effects on traffic when traffic congestion or delay exceeds the original estimates. The contingency plans will prescribe actions for likely problems and provide the criteria "triggers" for initiating the planned actions. The CHP and Caltrans will collaborate in the development of contingency plans and will:

- a. Commit personnel and resources, as available, to ensure the efficient execution of the plan.
- b. Ensure the plan provides that clearly designated responsible personnel, with the authority to act, will be available at all times during closure.
- c. Coordinate and collaborate with other commands and agencies as required.
- d. Ensure local authorities and allied agencies as appropriate are participants in the plan and are willing to act.
- e. Ensure the Transportation Management Centers (TMCs) are part of the plan, including interregional TMC participation.

3. Termination of Highway Lane Closures. Either department may terminate a lane closure because of safety concerns (e.g., unacceptable smoke or dust that restricts motorist visibility, development of inclement weather, potential for

ANNEX B

PLANNED LANE CLOSURES (*continued*)

flooding, etc.). Whenever possible, a closure should be terminated collaboratively between Caltrans and the CHP.

When a CHP field representative determines a lane closure should be terminated because of safety concerns or unacceptable traffic congestion, the following protocol should be used:

- a. Notify a CHP supervisor.
- b. Contact the Caltrans person responsible for overseeing field work. If mutual agreement to terminate the closure is not reached, the CHP supervisor should notify the Area commander or designee, who will contact the appropriate Caltrans manager to mutually resolve the issue. If the decision is made to terminate the closure, the CHP and Caltrans representatives shall:
 1. Advise the TMC or Caltrans Maintenance Dispatch as appropriate.
 2. Notify all other applicable entities (e.g., highway contractor, etc.).

When a Caltrans field representative or District Traffic Manager (DTM) determines a lane closure should be terminated because of safety concerns or unacceptable traffic congestion on the immediate and/or adjacent highway/roadway system, the following protocol should be used:

- a. Notify the Caltrans person responsible for overseeing field work, Maintenance Dispatch, CHP Communication Center, and TMC.
 - b. Notify all other applicable entities (e.g., highway contractor, etc.).
4. **Evaluation.** For some major TMPs, it is expected that evaluations will be done as a joint CHP/Caltrans activity, and include any other participants such as allied agencies.

B. CHP'S RESPONSIBILITIES

CHP Division and Area commanders, or their designees, will collaborate and cooperate with responsible Caltrans personnel to minimize traffic congestion (e.g., vehicle queuing, stopping, slow bumper-to-bumper vehicles, etc.) resulting from planned lane closures. CHP Division and Area commanders will work with the appropriate Caltrans District Division Chief, DTM, Resident Engineer, Maintenance Region Manager, or person(s) designated by the District

ANNEX B

PLANNED LANE CLOSURES (*continued*)

Director to ensure the CHP's concerns are adequately addressed in the TMPs and contingency plans.

Area commanders or their designees participating on, and/or reviewing and commenting on project-specific TMPs and contingency plans will:

1. Review the plans in a timely manner to ensure CHP concerns, including motorist and worker safety, are adequately addressed.
2. Provide notification to appropriate CHP commands of all impending planned lane closures and status of associated TMPs.
3. Notify respective CHP Division commanders of agreed upon traffic queues (distance and amount of time for stop-and-go vehicles) during the lane closures and any significant issues concerning traffic control that were not resolved in the TMP.
4. Verify that TMCs have been notified and are part of impending projects, TMPs, and contingency plans.
5. Ensure the commitment of CHP personnel and resources to COZEEP/MAZEEP, directing traffic, and traffic monitoring is clearly and accurately described in TMPs and contingency plans.

C. CALTRANS' RESPONSIBILITIES

The Caltrans TMP Coordinator will confer with the respective CHP Area commanders to determine criteria and procedures for notification of planned highway lane closures and changes to TMPs.

Depending on the project and impact on traffic, Caltrans may include CHP in the development and review of TMPs.

1. Caltrans should designate a responsible representative for each lane closure.
2. Caltrans should ensure the contractor is able and prepared to comply with the TMP and contingency plan as they relate to its performance of work.

ANNEX B

PLANNED LANE CLOSURES (*continued*)

D. SPECIAL EVENTS ON STATE HIGHWAYS

Special events include, but are not limited to, activities such as parades, marathons, bikeathons, walkathons, marches, triathlons, and other activities. Filming operations are covered under separate guidelines.

An encroachment permit for special events is required whenever any activity is conducted within a state highway right-of-way which interferes with the unrestricted movement of traffic, requires special traffic control, and/or cannot be conducted in such a manner as to fall under the permissible uses of a highway as authorized in the California Vehicle Code (CVC). Activities which do not interfere with traffic and which conform to the CVC do not require a permit.

Preliminary and operational meetings should be held with Caltrans, CHP, and special event representatives for all proposed special events before a permit is issued. When appropriate, other local authorities and law enforcement agencies should be invited to attend the meetings. The purpose of these meetings is to define permit conditions, which generally include:

1. Highway location feasibility.
2. Traffic control and facility needs.
3. CHP and Caltrans personnel required for event.
4. Timing of event.
5. Preventing damage to state property.
6. Safety considerations, which includes preventing traffic hazards and determining the least amount of impact to traffic.

Operational decisions and/or emergency situations may require the roadway to be reopened immediately. This decision should be made by the state representative in charge (Caltrans or CHP). CHP and Caltrans may bill the permit-holder for all costs incurred.

ANNEX B

PLANNED LANE CLOSURES *(continued)*


WILL KEMPTON, Director
Department of Transportation


M. L. BROWN, Commissioner
Department of California
Highway Patrol


Date


Date

ANNEX C

UNPLANNED HIGHWAY CLOSURES AND RESTRICTIONS

DEPARTMENT OF TRANSPORTATION

AND

CALIFORNIA HIGHWAY PATROL

Joint Operational Policy Statements

UNPLANNED HIGHWAY CLOSURES AND RESTRICTIONS

GENERAL

The California Highway Patrol (CHP) and the California Department of Transportation (Caltrans) share the responsibility for restricting or closing state highways. Because of the shared responsibilities, unplanned lane closures impact both agencies. Traffic collisions, emergency incidents, or acts of nature typically cause unplanned highway restrictions and closures. One way both agencies strive to protect the safety of all motorists involved in and around incidents is to clear incidents and return traffic to normal operations as soon as possible. Caltrans has established an internal performance measure for opening all lanes of traffic following any incident within 90 minutes of being notified.

DETERMINING WHETHER TO RESTRICT OR CLOSE THE HIGHWAY

The CHP is responsible for providing the first response to an incident and managing the scene through the use of the Incident Command System. Whenever a condition exists that may adversely affect vehicular movement on a highway and may cause imminent danger, the CHP or Caltrans employee on scene shall make a road restriction or closure determination and, if necessary, initiate actions to effect the restrictions or closures. In these situations, the agency making the emergency closure should notify the other and establish coordination as soon as possible with agencies that may be impacted by the adverse conditions.

The first consideration leading to a highway restriction or closure should be motorist safety (including the potential for collisions or secondary collisions). Secondly, consideration should include the extent of the condition, available detours, public comfort and convenience, the locations of traffic control devices, and the available resources necessary to warn motorists of any restrictions/closures. CHP and Caltrans should work collaboratively to determine the longer-term impacts of the closure, and how to mitigate them.

ANNEX C

UNPLANNED HIGHWAY CLOSURES AND RESTRICTIONS (*continued*)

VISIBILITY-RELATED HIGHWAY RESTRICTIONS AND CLOSURES

While the CHP must make adequate provisions for patrol of the highways at all times of the night and day, the CHP recognizes that by law the motorist continues to have the primary responsibility to adapt to driving conditions as described in California Vehicle Code (CVC) Section 22350. The "basic speed law" (CVC Section 22350) states that "no person shall drive a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of the highway, and in no event at a speed which endangers the safety of persons or property."

Whenever the employees of either department become aware of a highway condition (e.g., fog, dust, smoke, fire, flooding, washout, etc. in a peripheral or adjacent area) that may adversely affect highway mobility in an extensive or specific area, a determination should be made whether it is necessary to initiate traffic restrictions or to close the highway. If conditions are not immediately critical and time permits interaction between the two departments, the determination should be made jointly by Caltrans and the CHP.

In areas prone to frequent and extensive visibility restrictions, CHP Divisions and Caltrans Districts should jointly develop plans in conformance with emergency planning guidelines for visibility-related conditions that can be expected in a region or section of a region. Plans should be coordinated between the CHP, Caltrans Maintenance, and when applicable, Transportation Management Center (TMC)/District Traffic Management personnel. Implementation of restrictions such as exclusion of certain vehicles from the highway, escorts, speed reductions, and lane restrictions should be considered in these plans.

When the visibility is reduced to less than 500 feet, and the CHP has the staffing available, the CHP will implement the use of "pace cars", thereby reducing the speed of the travelling public to speeds that are safe for the limited visibility.

The decision whether to reopen closed lane(s) should be made collaboratively. When lanes are opened without the other department being present, immediate notification to the other department shall occur.

ANNEX C

UNPLANNED HIGHWAY CLOSURES AND RESTRICTIONS (*continued*)

BOMB SEARCH AGREEMENT FOR EXPLOSIVE DEVICES ON STATE HIGHWAYS

When either department becomes aware of any incident involving a suspected explosive device upon a state highway or highway-related structure, they will immediately notify the other department. The decision to close a highway will rest with the first member of either department to arrive on the scene. If representatives from both departments arrive, the CHP incident scene manager shall make the decision to close a highway.

Reopening of the highway will be with the concurrence of both departments. Differences of opinion concerning closure or reopening will be resolved in favor of the greater protection for the public.

The definition of terms for this policy statement are:

1. Bomb Incident is an incident involving an actual or hoax device, and/or an actual attempted or threatened explosive detonation.
2. Explosive Ordinance Disposal (EOD) Team/Unit is normally comprised of personnel from the military, or from local, state, or federal law enforcement. The EOD team/unit assists in the identification, removal, and disposal of explosive devices.
3. Visual Search is the visual scanning of an area or structure to look for any suspicious objects.
4. Highway-Related Structure is any structure that carries or spans highway traffic or that serve highway needs. This includes bridges, overcrossings, undercrossings, tunnels, tubes, tollbooths, Safety Roadside Rest Areas, Caltrans Maintenance Stations, etc.

The CHP is responsible for the search for explosive devices in state buildings, on state highways or highway-related structures. The CHP will conduct or arrange for a visual search and coordinate the disarming and/or removal of any suspicious device with the EOD team/unit with jurisdiction.

The CHP will not utilize Caltrans personnel in a bomb search unless their expertise and knowledge of the area will expedite the search. When used, Caltrans personnel will function as needed in a support capacity as technical advisors or equipment operators to augment the CHP bomb search and disposal efforts.

ANNEX C

UNPLANNED HIGHWAY CLOSURES AND RESTRICTIONS (*continued*)

The CHP will provide bomb search training as necessary to Caltrans personnel. The training should consist of general information on bomb identification, search methods, and emergency procedures to be taken when a suspected device is located. The general responsibility of Caltrans will be that of support and assistance that includes, but is not limited to:

1. Maintaining the availability of plans directly related to the highway system.
2. Providing personnel familiar with the area and knowledgeable in structure design and construction to assist in bomb search training, and to assist and/or advise CHP bomb search team members during incidents that require Caltrans involvement.
3. Providing personnel and necessary equipment to establish long-term traffic control and management when necessary.
4. Providing necessary tools, such as ropes, ladders, and hand tools; providing specialized equipment, such as cranes, personnel hoists, snoopers, and scissors trucks, as well as qualified operators.

In order to have an effective bomb search program capable of protecting the safety of the public, Caltrans agrees to coordinate with CHP commanders to ensure that Caltrans employees receive training necessary to discharge their duties. The appropriate CHP Division/Area using bomb instructors having jurisdiction in the particular district should provide this training.


WILL KEMPTON, Director
Department of Transportation


M. L. BROWN, Commissioner
Department of California
Highway Patrol


Date


Date

ANNEX D
SPECIAL PROGRAMS THAT PROMOTE SAFETY

DEPARTMENT OF TRANSPORTATION

AND

CALIFORNIA HIGHWAY PATROL

Joint Operational Policy Statements

SPECIAL PROGRAMS THAT PROMOTE SAFETY

GENERAL

The California Department of Transportation (Caltrans) and the California Highway Patrol (CHP) have developed several special programs that increase safety and provide service for motorists. Safety is a primary concern for both agencies, and is central to the mission of each department. These policy statements discuss those programs and specify responsibilities.

When situations or circumstances arise within the transportation infrastructure which may compromise the safety of motorists, CHP and Caltrans should work together to implement an immediate plan to correct the problem. These plans and discussions may include such things as modifying the priority of engineering improvements, enhancing enforcement, or implementing public education programs.

Included herein are specific agreements related to Caltrans engineers while they are assigned to the CHP's Multidisciplinary Accident Investigation Teams (MAIT), joint activity for the Pedestrian Safety Programs, responsibilities during AMBER Alert activations, specific agreements related to safety roadside rest areas, the Freeway Service Patrol (FSP) Program, Intelligent Transportation Systems (ITS), and median barrier openings.

MAIT ENGINEERS

MAIT reports are used to assist in the formulation of safety improvements to prevent collisions or incidents of a similar nature from recurring. This is consistent with the mission and goals of the CHP and Caltrans. MAIT reports are also used to assist in the determination of damages paid out in tort claims, settlements, and judgments.

ANNEX D

SPECIAL PROGRAMS THAT PROMOTE SAFETY (*continued*)

It is the intent of the Director of Caltrans and the Commissioner of the CHP that their respective departments work cooperatively to provide service to the public by utilizing Caltrans engineers within the CHP's MAIT program.

A. CALTRANS RESPONSIBILITIES

Caltrans will provide full-time engineers to the MAIT Program. The engineer assigned to the CHP Division MAIT will be responsible for conducting in-depth investigations of collisions and incidents. The engineer will provide collision reconstruction support to MAIT members by preparing and reviewing the "Highway" section of the report. The engineer will assist the team with other sections of the report as determined by the MAIT team leader.

The engineer will assist in conducting in-depth investigations of severe and complicated traffic collisions and incidents. These investigations will include, but are not limited to, the collection and compilation of roadway and traffic data relevant to accidents or incidents.

The engineer will give legal depositions, testify in court, and provide training to Caltrans, CHP, allied agencies, and Caltrans public contractors. Coordination of these activities, attendance at meetings, and administrative duties will be performed as required.

The engineer will accept functional direction from the MAIT sergeant in charge of the team. Personnel and civil service administrative issues are to be addressed by the engineer's first line supervisor at Caltrans.

The engineer assigned to the Division MAIT Program will not exercise supervision in the capacity as the Caltrans MAIT engineer. However, the engineer may provide limited direction at the scene of a collision or incident to CHP officers and Motor Carrier Specialist-I personnel. This direction will relate only to the effective utilization of these personnel during the collection of physical evidence, documentation of the highway conditions, and the proper use of the Total Station Survey System and related surveying techniques.

Caltrans will provide engineering and laboratory services and the equipment necessary to effectively assist the CHP. Any dispute between a Caltrans engineer and MAIT team leader that cannot be resolved at the team level will be resolved through the appropriate chain of command.

ANNEX D

SPECIAL PROGRAMS THAT PROMOTE SAFETY (*continued*)

B. CHP'S RESPONSIBILITIES

The CHP will provide Caltrans engineers with the necessary training to become an integral part of the CHP's MAIT Program. The CHP will be responsible for functional field supervision of Caltrans engineers with respect to the MAIT Program. The CHP will provide Caltrans Legal Department with a completed MAIT report.

The CHP will coordinate media relations activities related to MAIT. Every effort will be made to involve Caltrans in this process.

The CHP will notify the Caltrans team member when MAIT responds to a collision. The Caltrans team member will be responsible for the appropriate notifications within the Caltrans command structure. The CHP will notify Caltrans, through the Caltrans team member, when the completion of the MAIT investigation will exceed 30 days and provide an estimated completion date for the investigation. The CHP field supervisor will carry out their investigatory duties in a manner that prevents unnecessary motorist delay.

PEDESTRIAN/BICYCLE SAFETY PROGRAMS

Both departments are committed to measurable improvements in pedestrian and bicycle safety with reductions in injuries and fatalities. The "Safe Routes to School" (SR2S) grant program, the Caltrans grant-funded Statewide Pedestrian Safety Task Force, the Caltrans grant-funded Statewide Pedestrian Education Campaign, and the CHP grant-funded Pedestrian Corridor Safety Program are current efforts to improve pedestrian and bicycle safety.

Caltrans and the CHP work jointly with other agencies and traffic safety advocates to improve pedestrian and bicycle safety. Caltrans and the CHP will work together on the SR2S program to evaluate and prioritize projects applying for grant funds and to work with local law enforcement agencies when the CHP is not the primary law enforcement agency.

The CHP is primarily responsible for traffic safety, including enforcement, public education, and compiling data on collisions. CHP is also responsible for managing the Pedestrian Corridor Safety Program, of which Caltrans staffs are participants. Caltrans is primarily responsible for areas encompassing research, planning, engineering, construction, operations, and maintenance.

AMBER ALERT ACTIVATIONS

ANNEX D

SPECIAL PROGRAMS THAT PROMOTE SAFETY (*continued*)

CHP has the responsibility for issuing AMBER Alerts in order to safely recover abducted children. To assist in performing this duty, CHP and Caltrans have agreed to activate changeable message signs (CMS) and Highway Advisory Radios (HARs) in the area of the abduction and possible path of travel.

When an AMBER Alert is issued, CHP will contact the TMC(s) in the region(s) in which they desire CMS activation. CHP and Caltrans have agreed on standard content and format for CMS messages during AMBER Alerts. CHP will provide Caltrans with the wording in the agreed format to place on the CMS. Any variation to the agreed format shall be jointly approved prior to activating the CMS. Caltrans will notify CHP when the signs have been activated. Caltrans may remove the AMBER Alert message on specific signs when traffic conditions warrant posting of traffic management messages. When an AMBER Alert has been deactivated, CHP will immediately contact Caltrans and request the removal of the message.

If Caltrans is contacted by a law enforcement agency other than CHP for CMS activation, the call should be immediately forwarded to the CHP.

PROVIDING ROADSIDE REST AREA SECURITY

Caltrans and CHP share the responsibilities for providing safe, lawful, and efficient safety roadside rest area facilities.

A. CALTRANS RESPONSIBILITIES

Caltrans is responsible for the planning, designing, constructing, operating, and maintaining of safety roadside rest areas. Caltrans may provide a workspace with new or rehabilitated facilities for the CHP beat officer to enhance law enforcement presence. Any workspaces will be provided as needed and agreed on by CHP and Caltrans management.

Caltrans will continue to request general law enforcement services from local law enforcement agencies in accordance with existing practice or understandings. However, should a question concerning primary jurisdiction arise, the CHP will serve as liaison with local law enforcement agencies to secure the required general law enforcement service.

ANNEX D

SPECIAL PROGRAMS THAT PROMOTE SAFETY *(continued)*

B. CHP'S RESPONSIBILITIES

Traffic law enforcement will be provided as needed by the CHP. The CHP will routinely patrol each site. While patrolling each respective safety roadside rest area, all officers will have the discretionary option to investigate any suspected illegal activity. While general law enforcement is provided by local authorities, the CHP will provide service when other agencies refuse or are unable to do so.

C. WORKSPACE DESIGN ELEMENTS

The respective Caltrans District and CHP Division/Area having jurisdiction over the safety roadside rest area site will coordinate the addition and specifications of workspace available for CHP use. When a decision is made to include workspace available for CHP use in a safety roadside rest area, Caltrans District staff and CHP Area commanders should work together to design the most practical and appropriate facilities possible. Design elements to be considered for CHP workspaces at safety roadside rest areas include:

1. Dedicated parking space for CHP patrol vehicle.
2. Sign at rest area indicating "Patrolled by CHP," including CHP insignia.
3. Dedicated telephone lines, including direct connection to CHP dispatch and the local Caltrans TMC, jack and wiring for computer connection, and conduit/wiring to allow for future telephone and computer-line installation.
4. Bullet-resistant glazing, or windows made of bulletproof materials, that provide a view of the dedicated CHP parking space, and interior window coverings.
5. Built-in work surface, and free-standing lockable storage cabinet.

FREEWAY SERVICE PATROL (FSP)

Section 23271 of the California Vehicle Code (CVC) allows Caltrans to maintain a tow service operation on toll bridges. Caltrans may furnish this service as is necessary to permit the orderly flow of traffic upon such crossings and may prescribe and collect reasonable rates for towing services furnished for free.

Section 21718(a)(7) CVC allows tow trucks operating under a Freeway Service Patrol agreement with the CHP to stop on freeways for the purpose of rapid removal of impediments to traffic.

ANNEX D

SPECIAL PROGRAMS THAT PROMOTE SAFETY (*continued*)

The Freeway Service Patrol Act (Chapter 15 - Streets and Highways Code) was enacted on September 29, 1992. The purpose of this Act was to implement an FSP system on traffic-congested urban freeways throughout the state involving a cooperative effort between state and local agencies.

It is the intent of the Director of Caltrans and the Commissioner of the CHP that both Departments work cooperatively to implement FSP programs where congestion and/or an extraordinary need for motorist services exists. It is also the intent of the Director and the Commissioner that the resources made available from local transportation agencies is used to the fullest extent possible to simplify the implementation and operation of FSP programs.

Caltrans provides state funding to the regional transportation agencies that operate FSP services and provides funding to the CHP. Caltrans provides administrative services for the statewide program, provides program direction to each of the regional programs and evaluates program results. The CHP provides program direction to each of the regional programs, develops tow truck/operator standards, provides training to the FSP tow truck drivers, dispatches tow trucks and monitors FSP field operations.

INTELLIGENT TRANSPORTATION SYSTEMS (ITS)

ITS is defined as "any project that (in whole or in part) involves the application of electronics, communications, or information processing used singly or in combination to improve the efficiency or safety of a surface transportation system." While ITS technologies cannot solve all transportation problems, they do often provide efficient, cost-effective options that allow transportation planners to rethink approaches to problem solutions.

CHP and Caltrans participate in several ITS-related projects and programs. Because of the shared responsibilities, several ITS programs and projects impact both departments. Generally speaking, statewide and regional/local steering/advisory committees created by Caltrans or the CHP will include representation from both agencies. ITS projects may include Field Operational Tests (FOTs). FOTs are field tests that address a variety of traveler information and transportation management system services and technologies. Each agency will inform the other when a conceptual FOT is being considered, and if there will be an expected or anticipated impact on the operations of the other agency. Although several technologies are specifically discussed below, it is the intent of the Director of Caltrans and the Commissioner of the CHP that both departments will work cooperatively and consult with the other during research,

ANNEX D

SPECIAL PROGRAMS THAT PROMOTE SAFETY *(continued)*

development, implementation, and evaluation of all ITS type and similar programs

Also included in the umbrella of ITS, are Transportation Management Systems (TMS). TMS is an approach to solving transportation problems through the joint use of specific transportation management and technology. Examples include Transportation Management Centers, regional traffic operations systems which include changeable message signs, and highway advisory radios, loop detectors, Advanced Traveler Information Systems including the national 511 telephone number (ATIS/511), collision avoidance systems, and closed circuit cameras and monitors. Coordination and cooperation between Caltrans and the CHP is essential during the development, implementation, and operation of TMS projects and technologies.

Each agency agrees to cooperate in promoting the successful implementation of TMS projects. The CHP and Caltrans will continue to research and evaluate new technology applicable to highway incident and system management. When applicable, ITS technology will be used during design, implementation, and operation of TMS projects.

The following describes joint responsibilities for other ITS programs.

A. COMMERCIAL VEHICLE OPERATIONS (CVO)

CHP represents the State of California on the Heavy Vehicle Electronic License Plate (HELP) Inc./PrePass Board of Directors and consults with and keeps Caltrans advised of all such activities.

In recognition of the established roles, Caltrans and the CHP will continue discussions (and implementation as appropriate) regarding enhanced technologies that allow more efficient and effective enforcement techniques while meeting all legal, regulatory, and policy directives.

Caltrans and the CHP will continue to participate and cooperate in the expansion of the HELP program. Specifically, the CHP will notify Caltrans expeditiously if any Caltrans weigh-in-motion equipment fails to function. Caltrans will take immediate remedial action for its repair and restoration. CHP, in its HELP coordination role, will ensure that proper training is made readily available for all impacted CHP personnel concerning mainline bypass equipment.

Caltrans plans, arranges for funding, designs, and builds appropriate facilities for CHP CVO operations in consultation with the CHP. CHP shall participate in the planning, designing, maintenance, and building of CVO facilities.

ANNEX D

SPECIAL PROGRAMS THAT PROMOTE SAFETY *(continued)*

B. OTAY MESA SMART BORDER CROSSING PROGRAM

As part of the SMART Border Crossing Pilot Project, the objective of this program is to deploy and evaluate the Freight Management System at an international land border crossing. The Otay Mesa project will include specific ITS technologies that will provide traveler information about wait times and travel times on each side of the border, including electronic data interchange, electronic credentials, electronic pre-processing, and electronic screening to ensure efficient processing of commercial vehicles, drivers, and cargo through the international land border.

CHP and Caltrans agree to participate in the working group meetings, as well as the steering committee meetings for this project.

C. NATIONAL AND STATE ITS POLICY/PLANNING PROJECTS

Caltrans and CHP should collaborate and share information concerning the development of existing and future national and state ITS policy and planning projects.

D. COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS (CVISN)

The CHP will continue to serve as lead agency and provide project management services for the California CVISN project. Caltrans will continue to participate on the California CVISN project and provide technical support.

The primary focus of CVISN is to improve highway safety and reduce the administrative burden on commercial vehicle operators. The primary objectives of CVISN include implementing an interface to all state enforcement systems, which will provide roadside and inspection facility officers timely information as to the credential status of vehicles and any other safety information that would be available through the newly developed Safety and Fitness Electronic Records (SAFER) system; providing an interface with the electronic clearance system to make the enrollment and verification process more efficient for vehicles that will be participating in the pre-clearance system (PrePass); and providing participating commercial vehicle operators the ability to make electronic application to appropriate state agencies, and receive electronically from those agencies, all operating credentials to put the vehicle in operation.

ANNEX D

SPECIAL PROGRAMS THAT PROMOTE SAFETY (*continued*)

MEDIAN BARRIER OPENINGS/ENFORCEMENT PULL-OUTS

In consultation with the CHP, Caltrans will provide highway median barrier openings and enforcement pull-outs where beneficial and effective. The following guidelines have been developed for the selection of these openings.

1. For median barrier openings, the use of passageways should be kept to a minimum and carefully located to provide good stopping sight distance to and from the opening along the freeway. Emergency passageways should be appropriate for CHP vehicles and other emergency vehicles, such as tow trucks, ambulances, fire fighting apparatus, and maintenance equipment. Generally, median barrier openings should not be located more frequently than three-mile intervals. Glare screen openings may be installed to allow for emergency uses such as passing a stretcher from one side of the median to another side. Narrow medians, those less than 36 feet in width, are usually equipped with concrete barriers. Openings for motorcycles within narrow medians may be provided. Passageways for larger vehicles in narrow medians are provided only in rare instances.
2. Enforcement pull-outs are provided for ramp meters, High Occupancy Vehicle lanes, and other freeway facilities as agreed upon by the Caltrans District Director and the CHP Division Commander.

The CHP Division should submit a written request to the Caltrans District for the installation of median barrier openings and enforcement pull-outs when the vital need for one arises (and when consistent with Caltrans criteria). The District should then work with the CHP Division for the implementation of that opening.

CHANGEABLE MESSAGE SIGNS (CMS) USE

CMS are used to provide motorists with real-time traffic safety and guidance information about planned and unplanned events that significantly impact traffic. At times, traffic congestion, AMBER Alert and safety related campaign messages are displayed on CMS. All requests to deploy the CMS system shall be made to the Caltrans TMC Manager and/or District Traffic Manager and/or Resident Engineer and/or Maintenance supervisor and shall adhere to the policies and guidance as described in the Caltrans CMS Guidelines. These individuals have the authority to approve or deny any request for a CMS deployment

The CHP and Caltrans agree to resolve any disagreements regarding postings to the CMS signs at the lowest possible level.

ANNEX D

SPECIAL PROGRAMS THAT PROMOTE SAFETY *(continued)*


WILL KEMPTON, Director
Department of Transportation


Date


M. L. BROWN, Commissioner
Department of California
Highway Patrol


Date

ANNEX E
INCIDENT MANAGEMENT

DEPARTMENT OF TRANSPORTATION

AND

CALIFORNIA HIGHWAY PATROL

Joint Operational Policy Statement

INCIDENT MANAGEMENT

GENERAL

The CHP and Caltrans have a long-term working relationship that facilitates incident management. The coordination and management of planned events is typically focused on mitigating traffic impacts to the greatest extent possible. Unplanned incidents are a greater challenge and require both departments to best utilize the immediately-available resources (on-scene or immediately-available state employees, hazardous materials contractors, emergency response equipment, etc.). After-action reviews of these incidents are part of the on-going process to improve service to the public.

INCIDENT MANAGEMENT POLICY

Both departments will continually strive to improve the management of incidents to save lives, reduce injuries, and facilitate the flow of traffic to the greatest extent possible.

A. JOINT TRAINING AND ICS

1. Joint Training. CHP and Caltrans will conduct regular, joint training for supervisors and managers in unplanned incident management. The training will be focused on the incident command system and incorporate Caltrans-specific roles and responsibilities. There will also be a minimum of one tabletop exercise associated with the training and involving state and local public response agencies.
2. Incident Command System (ICS). Under ICS, the highest-ranking CHP official is the on-scene incident commander and their rank varies with the scope of the incident. The incident commander initiates the chain of local, regional, and state-level notifications, including information about road

ANNEX E

INCIDENT MANAGEMENT (continued)

closures, shortly after arriving at an incident. Depending on the scope of the incident, regional and statewide emergency operations centers may be activated to facilitate a coordinated response and to provide broad management oversight. The centers also help in the timely dissemination of incident information, monitor delay, develop alternate routes, and other actions to mitigate the impact on traffic.

B. QUARTERLY MEETINGS

To improve inter-departmental communication, all Caltrans Districts and CHP Divisions will meet at least quarterly to discuss topical issues, planned events, and unplanned incidents. Each department will keep their executive management informed about issues and decisions from these meetings.

C. INCIDENT RESPONSE TASK FORCE

To enhance incident response and monitor the implementation of this Joint Operational Policy Statement, the CHP and Caltrans will participate at the Headquarters level on an Incident Response Task Force and regularly report to their respective directors.

D. COMMUNICATIONS

The CHP and Caltrans recognize that good communication is an essential element in effectively managing emergency incidents, and that steps such as the foregoing must be completed prior to emergency incidents occurring. During an incident, the CHP "Blue" radio frequency has been and will continue to be available for emergency communication and incident coordination. Also, Caltrans is a key and essential partner in CHP's radio enhancement project, which will facilitate incident-driven communication by using technology to directly link radio users from both departments. This will allow Caltrans to continue to use their 800 megahertz radio system and CHP to use their low-band frequency. The CHP has installed the equipment to allow interoperability and is in the process of system implementation and training.

E. REGIONAL/STATEWIDE INCIDENT OVERSIGHT

For planned or unplanned events that will have a significant impact on the state's transportation system, Caltrans and CHP will jointly participate in local, regional, and statewide emergency operations centers to provide ongoing oversight, coordination of incidents, and information dissemination to the media and the public. The participation by Caltrans in the emergency operations centers will

ANNEX E

INCIDENT MANAGEMENT (*continued*)

provide a second level of direct CHP/Caltrans coordination to assist in managing the incident.

Statewide, regional, and local traffic impacts will be mitigated to the greatest extent possible, including the timely designation of alternate routes and the re-routing of queued traffic. When the duration of an incident spans multiple days, daily status briefings will be conducted. Specifically for critical locations with a limited number of alternative routes, like the Bay Area bridges and the Grapevine, CHP and Caltrans will develop joint operational plans for the range of plausible scenarios.

F. TRAVELER INFORMATION

Both departments will continue to enhance the function and management of transportation management centers (TMCs) in gathering and disseminating incident-related information to the public. CHP and Caltrans are currently developing a joint mapping strategy using geographical information systems (GIS). This strategy will provide for the display of alternate transportation routes during planned and unplanned incidents via the CHP computer-aided dispatch (CAD) Traffic Incident Information web page and Caltrans' home page. Planning is underway for CHP CAD upgrades, including GIS enhancements, and the project will be completed by October 2008.

Changeable message signs are an important way of communicating incident information to motorists. Coordinated usage by TMCs can warn long distance travelers well in advance of an incident (e.g., "Road Closed at Grapevine: Expect 4 Hour Delay") and as they approach the incident, provide greater detail (e.g., "Travel Time to LA: 6 hours"). Options are also quickly developed for redirecting travelers who become part of major incident-related congestion, and assisting them in finding shelter when necessary (e.g., when snow closes I-5 going into Oregon, hazardous weather can dictate that traffic be turned around as quickly as possible and redirected to adjacent towns for the survival of motorists).

G. HAZARDOUS WASTE CONTRACTORS

Caltrans will review and update the hazardous waste cleanup contractors list at least annually. Caltrans will also ensure there are a sufficient number of contractors to provide a timely response to incidents.

ANNEX E

INCIDENT MANAGEMENT (continued)



WILL KEMPTON, Director
Department of Transportation



M. L. BROWN, Commissioner
Department of California
Highway Patrol



Date



Date

ANNEX F
ILLEGAL ENCAMPMENT REMOVAL

DEPARTMENT OF TRANSPORTATION

AND

CALIFORNIA HIGHWAY PATROL

Joint Operational Policy Statement

Illegal Encampment Removal

GENERAL

As a matter of policy, the California Department of Transportation (Caltrans) discourages illegal encampments on its right-of-way. The goal is the removal of illegal encampments and the mitigation of health, safety, and access issues while respecting the rights of the occupants and informing them of alternatives within the community. Caltrans personnel conduct posting and removal of illegal encampments. As part of standard operations, the California Highway Patrol (CHP) assists Caltrans in the process of removing illegal encampments by providing security for Caltrans personnel, assistance to the homeless, and law enforcement as necessary.

Section 647(e) of the Penal Code prohibits lodging in any building, structure, vehicle, or place, whether public or private, without permission of the owner or person entitled to the possession or in control of it. Federal court requires occupants be allowed to remove their possessions before encampment cleanup begins to avoid Fourth Amendment issues regarding illegal seizure of personal property.

Caltrans will notify the CHP of its intent to conduct clean up activities at an illegal encampment site. Representatives from each department will work together to schedule dates to post a "Notice to Vacate" and to conduct cleanup activities at the illegal encampment. Caltrans prefers the notice posting occur within ten (10) working days of their original request to the CHP; however, the departments should select mutually agreeable dates. These activities are part of the CHP state security mission and are not services under Construction Zone Enhanced Enforcement Program (COZEEP) or the Maintenance Zone Enhanced Enforcement Program (MAZEEP).

ANNEX F

ILLEGAL ENCAMPMENT REMOVAL (*continued*)

ILLEGAL ENCAMPMENT REMOVAL PROCESS.

1. Posting of "Notice to Vacate" at the encampment site.

The CHP will be present and provide security when Caltrans posts the "Notice to Vacate." The "Notice to Vacate" allows 72 hours (three days) notice for occupants to be advised and leave with their personal property. The notice states abandoned property may be disposed of after the date indicated.

The Caltrans notice also provides a list of local community services available to the needy and the homeless. The Caltrans District Public Information Officer is also available to help locate local resources.

The Caltrans District Hazardous Materials Coordinator or representative will be present during the notice posting to evaluate the site for public health hazards that may either require immediate remediation or abatement, or require disinfection of the area prior to cleanup.

2. Cleanup of the encampment site.

During the illegal encampment cleanup, the CHP will provide protection for Caltrans employees. The CHP will verify all occupants have left the encampment or will have remaining individuals leave, and will provide transportation, or arrest remaining occupants. The CHP will follow established departmental procedures for the custody of individuals and disposition of their property.


CHP policy includes guidance on providing assistance and services to the homeless. The policy recommends officers provide homeless individuals with a list of available resources within the community and, if possible, provide or arrange for transportation to the nearest homeless shelter. In situations where there are no available shelters within the local area, officers may transport or direct homeless individuals to another safe location where assistance can be provided. For additional information, refer to CHP General Order 100.85, "Departmental Assistance to the Homeless."

Caltrans will collect, bag, and label personal property left at the site possessing some apparent value. A "Notice of Collected Property" will be posted where the original "Notice to Vacate" was and will contain local Caltrans contact telephone numbers. The collected property will be stored for no less than 30 days. Caltrans will immediately dispose of abandoned items that are clearly trash or have no apparent value.

ANNEX F

ILLEGAL ENCAMPMENT REMOVAL (*continued*)

The foregoing does not preclude special arrangements between local CHP Areas and local Caltrans Districts needed to accommodate specific issues of mutual concern or interest.



RANDELL IWASAKI, Director
Department of Transportation



JOSEPH A. FARROW, Commissioner
Department of California Highway Patrol

April 14, 2010
Date

4-8-10
Date

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