

CHAPTER 3
HIGHWAY ENFORCEMENT
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CHAPTER 3
HIGHWAY ENFORCEMENT

1. SPEED ENFORCEMENT.

a. General.

(1) Officers shall inspect the speedometer calibration chart of the enforcement vehicle they are operating and ensure the speedometer is in conformance with speedometer accuracy/calibration requirements set forth in Highway Patrol Manual (HPM) 31.1, Fleet Operations Manual. Officers shall use professional judgment to compensate for speedometer/odometer error to ensure optimum accuracy of cited speeds.

(2) Violators exceeding an absolute speed limit should be cited under the appropriate California Vehicle Code (CVC) section. However, if a safe speed significantly lower than the absolute speed limit can be established, a violator may be cited for a violation of the basic speed law.

b. Pacing From the Front.



(2) When a patrol vehicle is operated at the speed limit and a violator overtakes it from the rear, the violator may be cited for an estimated speed in excess of the applicable speed limit.

c. Radar/Lidar. The guidelines established in HPM 100.4, Radar/Lidar Speed Enforcement Manual, shall be followed when using radar/lidar for speed enforcement.

d. Computed Average Speed.

(1) The technique of determining a potential violator's speed by employing the patrol vehicle odometer, a stopwatch, and a calculator or similar device, referred to as the Computed Average Speed (CAS) method, is prohibited.

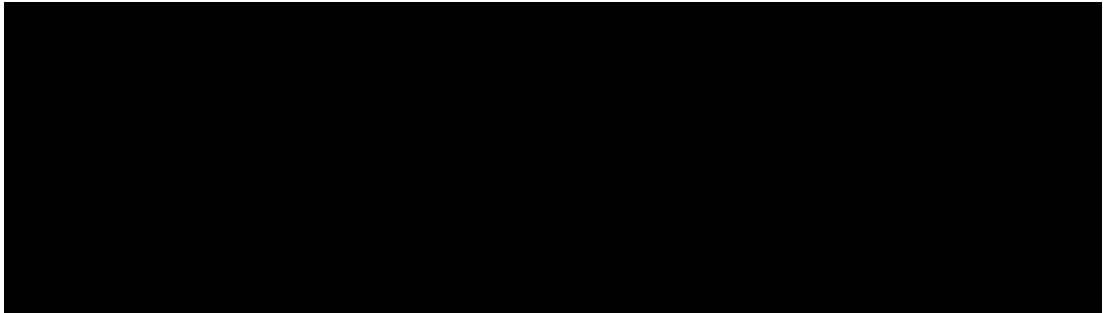
(2) An extensive analysis of the CAS method concluded that in certain situations, CAS meets the definition of a speed trap and its general use would not be legal under Section 40801 CVC.

e. Citing Guidelines.

(1) Basic Speed Law. The basic speed law, Section 22350 CVC, shall be used when drivers are charged with the following:

- (a) Exceeding prima facie speed limits.
- (b) Exceeding safe speed limits.

(2) Prima Facie Speed Limits. Prima facie enforcement actions shall be guided by the following criteria:



(3) Absolute Speed Limits.

(a) Officers shall cite the following violations when issuing a citation for exceeding an absolute speed limit:

- 1 Section 22348(b) CVC: Speed in excess of 100 MPH.
- 2 Section 22349(a) CVC: On any freeway, whether or not posted 65 MPH, or highway posted 65 MPH, for a speed in excess of 65 MPH, except as provided in Section 22356 CVC.
- 3 Section 22349(b) CVC: On any two-lane undivided highway, whether or not posted 55 MPH, for a speed in excess of 55 MPH, unless that highway, or portion thereof, has been posted for a higher speed.

NOTE: Sections 22349(a) and 22349(b) CVC should not be used in lieu of 22406(a) through 22406(f) CVC.

- 4 Section 22356(b) CVC: On any freeway posted 70 MPH for a speed in excess of 70 MPH.

NOTE: Although not considered an absolute speed, Section 22350 CVC applies to freeways and multilane highways posted 55 or 60 MPH, and

to undivided highways posted 60 MPH. See Annex A for a roadway speed matrix.

5 Section 22405(a) CVC: Speed limit violations on bridges and structures.

6 Section 22406(a) through 22406(f) CVC: Speed in excess of 55 MPH by certain specified vehicles or vehicle combinations.

7 Section 22406.1(a) CVC: Speed limit violations by commercial vehicles exceeding a posted speed limit by 15 MPH or more; violators are guilty of a misdemeanor.

8 Section 22407 CVC: Speed limit violations by trucks exceeding a posted speed limit on downgrades.

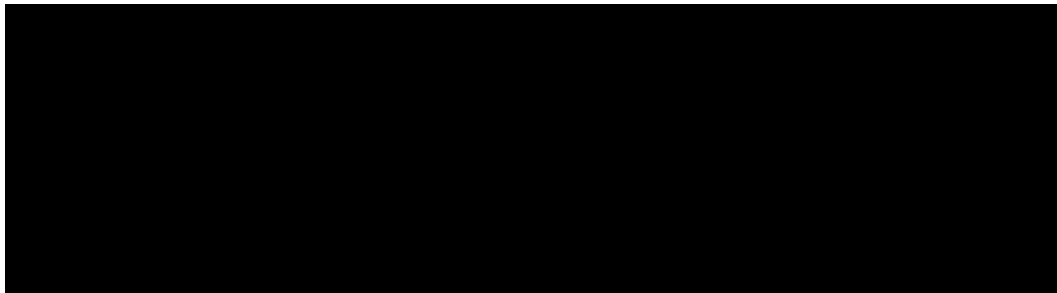
9 Section 22409 CVC: Speed in excess of set speed limits for vehicles equipped with solid tires.

10 Section 22410 CVC: Speed in excess of 6 MPH by vehicles equipped with metal tires.

11 Section 35785(b) CVC: Speed in excess of 15 MPH on a bridge or causeway, or in excess of 25 MPH on a highway, by trucks transporting a single saw log of specified dimensions.

12 Section 36400 CVC: Speed in excess of 35 MPH by agricultural lift-carriers.

(b) Enforcement of the absolute speed limits shall be governed by the following:



(4) Enhanced Penalties.

(a) A citation issued to the operator of a tank vehicle transporting more than 500 gallons of flammable liquid for a violation of the following is subject to an enhanced penalty:

1 Any speed law.

2 Sections 23103 CVC, reckless driving, or 23104 CVC, reckless driving, bodily injury.

(b) In the violation portion of the CHP 215, Notice to Appear, after the explanation of the violation, enter **Enhanced Penalty per 22406.5 CVC**.

2. SLOW-MOVING VEHICLES.

a. General.

(1) Slow-moving vehicles can pose hazards, not only to faster-moving traffic, but to themselves. These vehicles can present an obstruction to the smooth flow of traffic, causing traffic back-ups, particularly on two-lane rural roads and metropolitan freeways where expeditious traffic flow is essential.

(2) Officers observing slow-moving vehicles obstructing traffic on highways should take prompt action to maintain safe, unimpeded traffic flow. Officers should take into account the following definitions as they apply to laws governing slow vehicles:

(a) Normal Speed of Traffic. Normal speed is determined by the speed of vehicles to the front and rear in the same traffic lane. The courts have defined the word "normal" as "the average or mean of observed quantities" (66 Corpus Juris Secundum 606). A driver is traveling at less than the normal speed of traffic if the driver fails to keep up with the vehicles ahead and is impeding the vehicles to the rear. When this type of condition exists, and the vehicle speed is less than the maximum speed limit, the driver must move to the right side of the roadway.

NOTE: Normal speed may vary from traffic lane to traffic lane on the highway.

(b) Vehicles Traveling at the Maximum Speed Limit. Vehicles traveling at or exceeding the 55/65/70 MPH maximum speed limits are not in violation of Section 21654 CVC.

(c) Right-Hand Lane for Traffic. Lanes set aside for parking on surface streets are excluded from moving traffic. Emergency parking lanes and acceleration lanes on freeways are excluded from moving traffic.

NOTE: "It is not mandatory to drive to the right of the main traveled portion of a highway." (Ketchum v. Pattee [1940] 98 P2d 1051 37 CA2 122.)

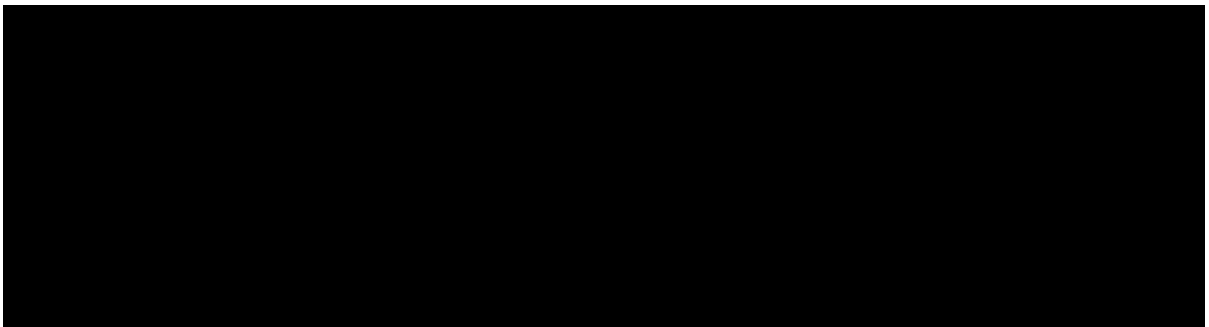
(d) As Close as Practicable to the Right-Hand Edge or Curb. This does not mean as close as **possible**. The practical path for driving an automobile would be a sufficient distance from the curb to enable the driver to see automobiles approaching on an intersecting street. (Waxman v. Jennings [1925] 238 P 28 72 CA6 71.)

(e) Preparing for a Left Turn. Left turns must be within the immediate vicinity and not at some indefinite future time and place.

(f) Driving in Designated Lanes. Vehicles subject to Section 22406 CVC traveling in designated lanes are exempt from the right-hand lane rule.

(g) Vehicles Transporting Wide Loads. Vehicles transporting wide loads are exempt from the right-hand lane rule when more than one traffic lane is needed to avoid roadside obstacles or prepare for a right turn.

b. Enforcement Guidelines. Slow-moving vehicle enforcement actions against drivers in lanes other than the right-hand lane shall be guided by the following:



3. PRIMARY CRASH FACTOR VEHICLE OPERATIONS.

a. Definition. A Primary Crash Factor Vehicle (PCFV) is a marked departmental vehicle and will be either all white or display non-traditional color configurations and markings. The vehicle is equipped and marked in such a manner that it may not be readily recognizable as a departmental enforcement vehicle. Notwithstanding its nontraditional markings, the PCFV meets the distinctive color and configuration requirements specified in Title 13, Sections 1140 and 1141, Division 2, Chapter 5, Article 5, of the California Code of Regulations (CCR). The PCFV is **not** an unmarked or undercover enforcement vehicle.

b. Authority. The Commissioner specifies the colors of motor vehicles used for the main purpose of enforcing provisions of Divisions 10 or 11 of the CVC, pursuant to Section 40800 CVC.

c. Policy.

- (1) Deployment of PCFVs shall be focused on:
 - (a) Multilane roadways with an identified high incidence of fatal and/or injury crashes, regardless of vehicle type.
 - (b) Roadways where traditional strategies have been ineffective in gaining compliance.
 - (c) Roadways identified by command warranting supplemental and/or selective enforcement.
- (2) The all-white PCFVs shall be operated for commercial enforcement/patrol purposes by uniformed personnel wearing the work uniform. Officers who are permanently assigned to the all-white PCFV and who have received Level 1 Commercial Training may wear the approved utility uniform.
 - (a) Non-traditionally marked PCFVs shall not be assigned to commercial enforcement.
- (3) Personnel operating any of the PCFVs shall provide adequate levels of public service during PCFV operations. They shall assist motorists with disabled vehicles in accordance with policy in this chapter, respond to traffic crashes and crimes as necessary, and provide other necessary assistance to the public. Area commanders shall determine the degree of beat accountability assigned to PCFV personnel.
- (4) PCFVs shall be assigned to those officers who uphold the Department's organizational values, have a strong work ethic, and primarily work multilane roadways and beats with known traffic-related problems.
 - (a) PCFVs are not intended to be assigned to graveyard shift; however, PCFVs may be used for special enforcement details such as sideshow events during graveyard hours with the commander's approval.
 - (b) Those assigned to PCFVs should actively seek out violations which directly impact the primary crash factors affecting their command. An emphasis should also be placed on the enforcement of speed, distracted, aggressive, and reckless driver violations.
 - (c) Non-traditionally marked PCFVs shall not be used in a stationary fashion to monitor speed or traffic.

(5) CHP 215, Notice to Appear. Personnel operating the all-white PCFVs shall enter Special Project Code (SPC) 66 and non-traditionally marked PCFVs shall enter SPC 767 in the *Special* box on **all** enforcement documents, except when preparing statistical citations documenting an allied agency turnover as described in HPM 100.9, Enforcement Documents Manual.

(6) Division Approval. Approval from the Division Chief shall be obtained prior to Area PCFV operations. Area commanders requesting approval shall submit their requests with full justification. Annex B includes an outline format Area commanders may use in preparing their requests.

(7) Primary Crash Factor Vehicle Assignment. The Office of Assistant Commissioner, Field, with field Division Chief input, will distribute and assign PCFVs to Areas as described in paragraph 3.c.

(a) Division requests for increasing or decreasing the number of PCFVs shall be directed to Assistant Commissioner, Field. Procedures for requests are contained in HPM 31.1, Fleet Operations Manual.

(b) Divisions should coordinate the configuration of PCFV with Fleet Operations Section.

(8) Primary Crash Factor Vehicle Reporting. For all-white PCFVs, SPC 66 has been designated for use on CHP 215s and CHP 415s, Daily Field Record. For non-traditionally marked PCFVs, SPC 767 has been designated for use for **all** enforcement documents, and the CHP 415, as described above. When these codes are properly used, the Department will be able to obtain automated activity reports through the CHP Dashboard.

(9) CHP Dashboard Reports.

(a) Information Services Unit (ISU) will provide each field Division and Area with enforcement reports which should be compared with crash data to evaluate the effectiveness of PCFV operations.

(b) Monthly and annual Special Project reports will be run by the command operating all-white and/or non-traditionally marked PCFVs. These reports will be used to monitor enforcement activity to ensure PCFV operations are within policy.

1 All-white PCFVs will require a Special Project 66 Unmarked Counts report. This report will be analyzed at the command level.

2 All non-traditionally marked PCFVs will require a Special Project 767 Unmarked Counts report. This report will be analyzed locally and at the Division level.

d. Responsibilities.

(1) Field Division Chiefs are responsible for:

- (a) Approving PCFV proposals and operational plans for compliance with policy and procedures.
- (b) Monitoring PCFV operations.
- (c) Distributing and rotating PCFVs among Area commands as necessary.
- (d) Ensuring PCFVs are maintained and serviced in accordance with departmental policy.

(2) Area commanders are responsible for:

- (a) Developing PCFV proposals and operational plans for approval by the Division Chief.
- (b) Briefing members of courts and district attorneys' offices prior to initial PCFV deployment.
- (c) Implementing public affairs activities designed to increase compliance with safety laws and gain acceptance of PCFV operations from the public, governmental agencies, and public safety organizations. Commanders should ensure enforcement and crash statistics released for public review are based on reports generated by ISU.
- (d) Monitoring the enforcement activity of officers assigned to operate PCFVs to ensure operations are utilized pursuant to policy described in paragraph 3.c.
- (e) Managing PCFV deployment and operations within the Area to ensure accountability, engagement, and monitoring of the effectiveness of overall operations.

4. USE OF UNMARKED VEHICLES IN SPEED CONTEST ENFORCEMENT.

a. The use of unmarked vehicles for the apprehension of violators of Section 23109 CVC (speed contest) must be approved by the Office of the Commissioner.

b. Only aggravated or geographical circumstances that make normal enforcement procedures impractical will constitute a basis for the use of unmarked vehicles for the apprehension of violators of Section 23109 CVC.

5. BLACK AND WHITE CHP CHEVROLET CAMARO.

a. The CHP has deployed a limited number of fully marked black and white CHP Chevrolet Camaros for the purposes of conducting high-visibility primary crash factor enforcement and for use in appropriate community engagement events.

b. The Office of Assistant Commissioner, Field (ACF), with field Division Chief input, will select officers to drive the Camaros.

c. All uniformed personnel selected to drive the Camaros shall receive specialized training from the CHP Academy prior to operating a Camaro.

d. Officers selected to drive the Camaro shall be those who uphold the Department's organizational values, have a strong work ethic, and primarily work multilane roadways and beats with traffic safety challenges that would be better addressed through the use of the Camaro. The Camaros are not intended to be assigned to graveyard shift.

e. Trained personnel driving a Camaro shall provide public service during operations. This includes aiding motorists with disabled vehicles in accordance with policy in this chapter, responding to traffic crashes and crimes as necessary, and providing other necessary assistance to the public. Area commanders shall determine the degree of beat accountability assigned to uniformed personnel operating Camaros.

f. Generally, most procedures applicable to the operation of a fully marked black and white patrol vehicle apply to the operation of a Camaro. However, there are some important distinctions when it comes to conducting pursuits in the Camaro. Uniformed personnel operating a Camaro shall be familiar with HPM 70.6, Officer Safety Manual, Chapter 5, Pursuit Policy and Emergency Vehicle Operations, prior to use and HPM 31.1, Fleet Operations Manual.

g. It is important to note the Camaro is capable of significant acceleration and speed. As such, trained personnel driving these vehicles must exercise sound professional judgement and care.

h. Activity generated while driving a Camaro is tracked using SPC 775. Uniformed employees driving a Camaro shall include SPC 775 on all CHP 415s and **all** associated enforcement documents generated while driving these vehicles.

i. Similar to the PCFVs, commands will use the CHP Dashboard to track enforcement activity from personnel driving Camaros and report through channels to ACF as required/requested.

6. STOPPING ON A FREEWAY.

a. Disabled Vehicles.

(1) Policy.

(a) A major responsibility of this Department is to provide assistance to stranded motorists.

(b) Assistance which will expedite the removal, or return to operation, of disabled vehicles is of primary importance.

(c) Drivers who stop to provide free assistance to stranded motorists perform a useful service when such action is done safely. Under Section 21718(a)(4) CVC, anyone "summoned to render assistance to the disabled vehicle or driver of the disabled vehicle" may stop on a freeway. The following actions constitute a request for assistance by a disabled motorist:

- 1 A placard or other sign in or on the vehicle.
- 2 A call from an individual or an enforcement agency.
- 3 A handkerchief or other cloth on an antenna or door handle.
- 4 The hood or trunk lid of the vehicle in the open position.
- 5 A physical request for assistance, such as waving the arms.
- 6 Physical evidence of need for assistance, such as elderly persons standing by disabled vehicles.

(2) Enforcement Guidelines.

(a) Drivers who stop on freeways to assist stranded motorists normally should not be issued a citation.

(b) Occasionally, tow trucks en route to or from a legitimate call may stop to aid a stranded motorist. Single instances should be permitted under these circumstances. However, appropriate enforcement action should be taken if either of the following occur:

1 Repeated instances of tow services soliciting business by cruising roadways.

NOTE: Tow trucks providing service under the Freeway Service Patrol program are exempt.

2 Confirmed instances of overcharging or unlawful practices by tow truck operators who are on CHP rotation lists.

(c) All complaints against tow companies on CHP rotation lists shall be investigated by the Area in accordance with HPM 81.2, Vehicle Procedures Manual, Chapter 7, Rotation Tow Program Policy. Area commanders should also assist individuals in resolving complaints against any other tow service company.

b. Emergency Incident Zone.

(1) Authority.

(a) Effective January 1, 2007, Senate Bill 1610 added Sections 21706.5 and 21809 CVC. Section 21706.5 CVC defines an emergency incident zone as an area on a freeway that is within 500 feet of, and in the direction of travel of, a stationary authorized emergency vehicle that has its emergency lights activated.

(b) As amended on January 1, 2021, Section 21809 CVC states that a person driving a vehicle on a **highway** approaching a stationary authorized emergency vehicle displaying emergency lights, a stationary tow truck displaying flashing amber warning lights, or a stationary marked California Department of Transportation (Caltrans) vehicle displaying flashing amber warning lights shall approach with due caution, and before passing in a lane immediately adjacent to the stationary vehicle, absent any other direction by a peace officer, proceed to do one of the following:

1 Make a lane change with due regard for safety and traffic conditions, if practicable and not prohibited by law.

2 If a lane change is unsafe or impracticable, slow to a reasonable and prudent speed that is safe for existing weather, road, and vehicular or pedestrian traffic conditions.

(2) Enforcement Guidelines.

(a) Officers may issue a citation to violators of Section 21809 CVC if it is appropriate to leave the emergency incident zone.

(b) Officers shall not park on the shoulder for the sole purpose of enforcing this section.

7. PRIVATE VEHICLES TRANSPORTING ILL OR INJURED PERSONS.

a. Policy. Uniformed personnel are to offer all reasonable assistance to drivers of private vehicles who are transporting ill or injured persons. Enforcement action against such drivers is to be taken only in accordance with these procedures.

b. General. Enforcement of the law must always be tempered by giving consideration to the nature and circumstances of the particular offense. Often, drivers transporting ill or injured persons are highly excited and their usual good judgment is greatly impaired. In situations where these drivers are observed and stopped, the medical and transportation needs of the patient supersede enforcement of the law. While immunity from arrest is not provided to these drivers by statute, it is in the best interest of the public and this Department to ensure there is minimal delay in transporting the ill or injured party.

c. Procedure.

(1) When advised that a motorist is transporting an ill or injured party, officers are to offer all possible assistance which may include:

(a) Providing immediate first aid treatment.

(b) Summoning an ambulance.

(c) Providing emergency transportation for the ill or injured person.

1 Officers on patrol may encounter frantic individuals rushing a pregnant person to a hospital. These individuals invariably are

excited and request an escort to the hospital. This situation can best be handled by placing the patient in the patrol car and taking the patient to the **nearest** emergency hospital.

2 The Legislature has realized that, on occasion, patrol vehicles may be utilized to transport persons requiring emergency medical aid. Authorization for this is given in Sections 2406 and 20016 CVC. Patrol vehicles should only be used in lieu of an ambulance in emergencies wherein time is of the utmost importance and where the **patient does not object to such transportation**. The CHP personnel who have exercised ordinary care and precaution are not liable for damages or costs resulting from such acts. As a general rule, when at all practicable, an ambulance should be called instead of using the patrol vehicle.

- (d) Providing adequate direction to the most appropriate medical facility.
- (2) To ensure motorist safety, escorts should not be provided to drivers of private vehicles for medical emergencies.
- (3) If the driver of the transporting vehicle has committed an offense, officers are to be guided by the following procedures, but should always use their best judgment.
 - (a) A verbal warning will usually accomplish the purpose and allow the motorist to proceed without further delay.
 - (b) Arrests for misdemeanors or infractions should normally be effected only when there is willful or wanton disregard for the safety of persons or property. Under these circumstances, officers should **quickly** take information necessary to conduct a follow-up investigation and allow the motorist to proceed without further delay. If the driver is to be charged, the complaint process should be used.
- (4) When the transporting driver is under the influence of alcohol and/or drugs or in such a poor physical or emotional state that a hazard to the motoring public would exist, further driving is prohibited. When it is necessary to detain such drivers (e.g., for felony or other investigation), officers should accept direct responsibility for the emergency transportation and care of the ill or injured party. Officers may then resolve the violation in accordance with established procedures.

8. HIGH OCCUPANCY VEHICLE FACILITIES.

a. General.

(1) Heavy congestion on roadways is a problem common to many areas. Congestion can be reduced by giving preferential treatment to high occupancy vehicles (HOVs) such as buses, carpools, and vanpools. This preferential treatment reduces travel time for HOV users and the number of vehicles on the road by encouraging the use of HOV lanes.

(2) Methods for giving preferential treatment to HOVs include bus lanes, HOV lanes on freeways, freeway bypass ramps, metered freeway ramps, separate HOV roadways, separate HOV lanes at bottlenecks, and preferential toll policies on bridges and toll roads.

(3) High occupancy vehicle facilities cannot have the desired effect without a properly designed and executed enforcement program. Each new HOV facility results in additional workload for the CHP, thus it is crucial for the CHP and Caltrans to interact at all levels of the HOV decision-making process pursuant to policy in HPM 41.1, Transportation Planning Manual, Chapter 5, Transportation Management Systems.

b. Authority.

(1) Section 21655.5(b) CVC prohibits use of preferential lanes/highways in violation of traffic control signs and other devices, unless it is a specified exception (e.g., motorcycles, mass transit vehicles, and marked paratransit vehicles).

(2) Effective September 30, 2025, the California Clean Air Vehicle (CAV) Decal Program was terminated. As such, the previously issued key shaped CAV decals, regardless of color, no longer grant HOV lane access to single-occupant vehicles. Refer to Sections 5205.5 CVC and 21655.9 CVC for additional information.

c. Policy.

(1) Officers observing vehicles traveling in the HOV lanes not meeting occupancy requirements and not granted an exception as specified in paragraph 6.d. shall cite Section 21655.5 CVC.

(2) Motorcycle operators shall not be cited for a violation of Section 21655.5(b) CVC, except in instances where motorcycle operators are observed using HOV lanes or metered ramp bypass lanes and there

are signs or other official traffic control devices prohibiting the use of the lanes by motorcycles.

d. Occupancy Exceptions.

(1) Two-Seat Vehicles in High Occupancy Vehicle Facilities Requiring Three or More Occupants. **If posted**, vehicles manufactured with only two seats and two seat belts may be allowed to travel in the HOV lane with only two occupants.

(2) Motorcycles.

(a) Section 21655.5(b) CVC prohibits use of preferential lanes/highways in violation of traffic control signs and other devices. It provides that a motorcycle may be operated upon those exclusive or preferential lanes unless specifically prohibited by a sign or other traffic control device.

(b) Effective January 1, 1998, Section 21714 CVC prohibits a motor vehicle described in Section 27803(f) CVC (fully enclosed three-wheeled vehicle, as defined) from being operated in a preferential traffic lane as established under Section 21655.5 CVC.

(3) Mass Transit Vehicles.

(a) Authority.

1 Section 21655.5(b) CVC permits mass transit vehicles, including clearly marked paratransit vehicles, to be operated in HOV lanes without regard to the number of occupants in the vehicle, unless specifically prohibited by a traffic control device. This includes buses with only the driver.

NOTE: A paratransit vehicle must be clearly and identifiably marked on all sides of the vehicle with the name of the paratransit provider.

2 Section 21655.5(c) CVC permits a clearly marked mass transit vehicle, mass transit supervisor's vehicle, or mass transit maintenance vehicle responding to an existing emergency or breakdown in which a mass transit vehicle from the same agency is blocking an exclusive or preferential use lane to operate in the blocked segment of the lane, regardless of occupancy level.

(b) Defined.

1 Section 21655.5(d)(2) CVC defines a mass transit vehicle as a transit bus regularly used to transport paying passengers in mass transit service.

2 Section 462 CVC defines a paratransit vehicle as a passenger vehicle, other than a bus, school bus, school pupil activity bus, youth bus, general public paratransit vehicle, or taxicab that is both of the following:

a Operated for hire by a business, nonprofit organization, or the state, or a political subdivision of the state as specified.

b Is regularly used to provide transportation services to disabled or elderly persons as specified in Section 462(b) CVC.

9. PHYSICIAN'S INSIGNE—EXEMPTION FROM SECTIONS 22351 AND 22352 OF THE CALIFORNIA VEHICLE CODE.

a. Authority. Section 21058 CVC, Vehicles Owned by Physicians, was enacted in 1959 and provides an exemption from Sections 22351 CVC, Speed Law Violations, and 22352 CVC, Prima Facie Speed Limits, for physicians (not their families) traveling in response to an emergency if the vehicle displays an insigne approved by the Department indicating the vehicle is owned by a licensed physician.

b. General.

(1) Title 13, Sections 970 and 971, Division 2, Chapter 4, Article 3 CCR, address the California Medical Association (CMA) insigne design and mounting requirements.

(2) The official CMA insigne has a red background with a triple black line border, is 4 x 5 inches in size, and shall be visible from a distance of at least 50 feet (refer to Annex C). The insigne must be displayed on the rear of the vehicle as close to the license plate as practicable.

c. Policy.

(1) When this insigne is displayed on a physician's vehicle, it shall be accepted as meeting the insigne display authorized by Section 21058 CVC.

(2) The display and proper use of this insigne does not provide an exemption from Sections 22348(a), 22348(b), or 22356(b) CVC, Maximum Speed Limits, or other rules of the road violations such as shoulder or unsafe passing.

(3) Section 21058 CVC specifically states it does not relieve the driver of the vehicle from the duty to drive with due regard for the safety of all persons using the highway. Additionally, it states the driver is not protected from the consequences of an arbitrary exercise of the privileges of this section.

(4) Officers are asked to exercise sound professional judgment when dealing with physicians claiming this exemption.

10. ROADSIDE REST AREAS AND VISTA POINTS.

a. Policy. Departmental personnel shall assist Caltrans in the enforcement of rules and regulations governing the use of roadside rest areas and vista points as provided in Sections 225 and 225.5 of the Streets and Highways Code (SHC). Enforcement shall be consistent with the statutes and guidelines established in this manual.

b. Authority.

(1) Section 225 SHC authorizes Caltrans to enact rules and regulations governing the time and manner in which roadside rest areas and vista points may be used. These rules and regulations are contained in Title 21, Section 2201, Division 2, Chapter 20, Article 1 CCR; Section 2205, Article 3 CCR; and Sections 2206 and 2207, Article 4 CCR.

(2) Section 225.5 SHC states: "No person shall display, sell, offer for sale, or otherwise vend or attempt to vend any merchandise, food product, or service within any vista point or safety roadside rest area. No person shall solicit money within any vista point or safety roadside rest for any purpose." The section further states a person, the person's property, or their activity shall not create a safety problem or nuisance either on or near a safety roadside rest area or vista point. This section overrides any conflicting exemptions to the wording contained in Title 21, Section 2205, Division 2, Chapter 20, Article 3 CCR through Section 2207, Article 4 CCR.

(3) On April 1, 1994, Caltrans terminated all provisions which had previously allowed nonprofit and public service organizations to distribute merchandise, food products, and beverages in vista points and roadside rest areas.

(4) Section 22520.6(a) CVC states, "No person shall engage in any activity within a highway roadside rest area or vista point prohibited by rules and regulations adopted pursuant to Section 225 of the Streets and Highways

Code.” Section 22520.6(b) CVC states a violation of the section is an infraction, and a second or subsequent **conviction** for a violation of the section is a misdemeanor.

NOTE: Section 22520.6 CVC was enacted to provide authority for the enforcement of Caltrans regulations governing the use of roadside rest areas and vista points.

(5) Section 22520.5(a) CVC prohibits vending on all areas of a freeway right-of-way.

c. Enforcement Guidelines.

(1) As a general rule, Caltrans will coordinate enforcement of roadside rest area and vista point regulations. Persons who are suspected of violating these regulations should be informed of the prohibition and appropriate enforcement action should be taken. Area standard operating procedures should include guidelines coordinated with Caltrans and the local district attorney’s office. Officers should assist Caltrans when requested to cite suspected violators.

(2) None of the foregoing prohibits officers from taking an enforcement action upon observing an obvious or blatant violation of these regulations. Citations issued for violation of roadside rest area and vista point regulations should be governed by the following:

(a) Section 225.5(b) SHC should be cited when the violator has already been warned or refuses to cease their solicitation of money.

(b) Section 22520.6 CVC should be cited when regulations established pursuant to 225 SHC have been violated. Officers should cite this section, preceded by the appropriate CCR title number, and followed by the appropriate section (e.g., Title 21, Section 22520.6 CVC, Division 2, Chapter 20, Article 3 CCR, Section 2205 CCR).

ANNEX A

ROADWAY/SPEED MATRIX

	FREEWAYS	TWO-LANE UNDIVIDED HIGHWAYS	MULTILANE HIGHWAYS (Three or more)
Posted	Cite CVC Section	Cite CVC Section	Cite CVC Section
70	22356(b)	N/A	N/A
65	22349(a)	22349(a)	22349(a)
60	22350	22350	22350
55	22350	22349(b)	22350
Not Posted	22349(a) (Limit 65 MPH)	22349(b) (Limit 55 MPH)	22349(a) (Limit 65 MPH)

The above chart is for maximum speed limits only. Roadways designated with prima facie speed limits per Sections 22352(a) and 22352(b) CVC will not be affected.

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ANNEX B

REQUEST FOR PRIMARY CRASH FACTOR VEHICLE OPERATIONS

Approval from the Division Chief shall be obtained prior to the deployment of a PCFV. At the discretion of the Division Chief, the following outline may be used by Area commanders in preparing requests for PCFV operations.

1. PRIMARY CRASH FACTOR VEHICLE PROPOSAL.

a. Identification of each proposed roadway segment upon which PCFVs will be deployed, including supporting statistical data and nonquantifiable information.

(1) Crash experience.

(a) Frequency.

(b) Primary crash factors.

(2) Traffic volume.

(a) Daily or seasonal variations.

(3) Violation trends.

(4) Public concerns.

b. Previous experience with traditional enforcement strategies.

2. PRIMARY CRASH FACTOR VEHICLE OPERATIONAL PLAN.

a. Deployment Strategy.

(1) Number of PCFVs desired, including vehicle models (e.g., 4-door sedan).

(2) Current and projected level of officer deployment on targeted roadway segments.

(3) Effect of PCFV operations on beat coverage and levels of service.

(4) Shifts, days of week, or months PCFV operations would be most effective.

(5) Circumstances that will help or hinder PCFV operations.

b. Officer Training.

ANNEX B

REQUEST FOR PRIMARY CRASH FACTOR VEHICLE OPERATIONS (*continued*)

- (1) Number of officers to be trained.
 - (2) Level of training.
 - c. Public Affairs.
 - (1) General plan of action.
 - (2) Briefings to judges and prosecutors.
3. SUPPORTING DOCUMENTATION.
- a. Newspaper/media outlet articles.
 - b. Letters.
 - c. Miscellaneous reports.

ANNEX C

CALIFORNIA MEDICAL ASSOCIATION INSIGNE



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