

**CHAPTER 13**  
**PATROL AND ENFORCEMENT ON THE FREEWAY**

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## CHAPTER 13

### PATROL AND ENFORCEMENT ON THE FREEWAY

1. INTRODUCTION. The purpose of this chapter is to provide guidelines for safe patrol and enforcement on the freeway.
  
2. PATROL TECHNIQUES.
  - a. Visible Patrol. Visible patrol is a natural deterrent to the accident-causing violator and provides officer availability to motorists who need assistance. Adherence to the principles as outlined in Highway Patrol Manual (HPM) 100.68, Traffic Enforcement Policy Manual, will ensure the officer's presence on the highway and promote the fundamental assumption in the minds of the motorists that the officer is everywhere. A complete tour of the beat should be made at the beginning of the assigned shift to observe, eliminate, or report any hazardous situations; check abandoned vehicles; assist disabled motorists; and to generally become acquainted with the beat status.
  
  - b. Patrol Speed. The officer's patrol speed will depend upon the normal flow of traffic.
    - (1) Traffic should not be obstructed, nor should the speed limit be exceeded, except for the apprehension of violators or the handling of emergencies.
  
    - (2) Patrolling in or near the right-hand lane minimizes impedance to traffic and increases the officer's availability to the motorist who needs assistance. Officers should be alert for traffic congestion buildup behind the unit while on patrol. The officer should not lead groups of traffic for long distances. The officer should reverse their direction of travel when buildups occur. This will allow the officer to better observe a violation.
  
    - (3) Pacing violators from the front is prohibited, per HPM 100.68, Chapter 3, Highway Enforcement.
      - (a) An officer shall not accelerate above the maximum speed limit to try to determine the actual speed of a vehicle approaching from the rear. This procedure carries the connotation of "baiting" the motorist.
  
      - (b) This policy does not preclude the issuance of a citation to a vehicle restricted to a lesser vehicle speed when the vehicle passes the patrol

vehicle. Although not inclusive of all violations of this type, some examples would be Sections 22406, 22410, and 36400 of the California Vehicle Code.

c. Turnarounds.

(1) Most metropolitan freeways restrict turnarounds through the use of median barriers. Units must actively use the radio to advise other beat units of violators and hazards in the opposite direction.

(2) Median or divider sections vary with each area. If they are traversable earth without barriers, they may contain shrubs or a drainage ditch. The officer must know the beat and be aware of the feasibility of crossing to the opposing lanes at any location on the freeway. The officer must be aware of the proper approach angles required to cross drainage ditches and understand the procedures for maximum acceleration from dirt onto the traffic lane in the face of approaching high-speed traffic. On a full freeway, turnarounds become more dangerous than on a surface street and should not be attempted except in emergencies or in pursuit of a violator. A turnaround should never be attempted when traffic is affected to the extent that an accident may result. Instead, officers should consider using their radios to inform the adjacent beat officer of the violator or emergency situation.

3. ASSISTANCE TO MOTORISTS.

a. General. It is the policy of the Department to offer assistance to disabled motorists as expeditiously as possible. Assistance is to be given in a courteous, professional manner. The protection of persons who are in need of assistance on remote sections of highway, rest areas, or in high-crime areas are of critical importance. The contact an officer has with a disabled motorist may be that motorist's first and only contact with a representative of the CHP. While such contacts may become mundane and routine to officers, it must be recognized they are among the most important, as the impression gained by the motorist of the Department is a lasting one.

b. Disabled Vehicles. Officers shall investigate each disabled vehicle on highways and rest areas within the Department's jurisdictional responsibility, as soon as practical after becoming aware of the disabled vehicle's presence. A record of contact is to be made on the appropriate documents and by the issuance of a CHP 422, Vehicle Check/Parking Warning/Highway Damage Report, as appropriate. Disabled vehicles on highways in remote or in high-crime areas are

of critical importance. The welfare of occupants in a vehicle is of primary concern and the necessary assistance may include providing medical attention, moving the vehicle from a hazardous location, or summoning a repair service.

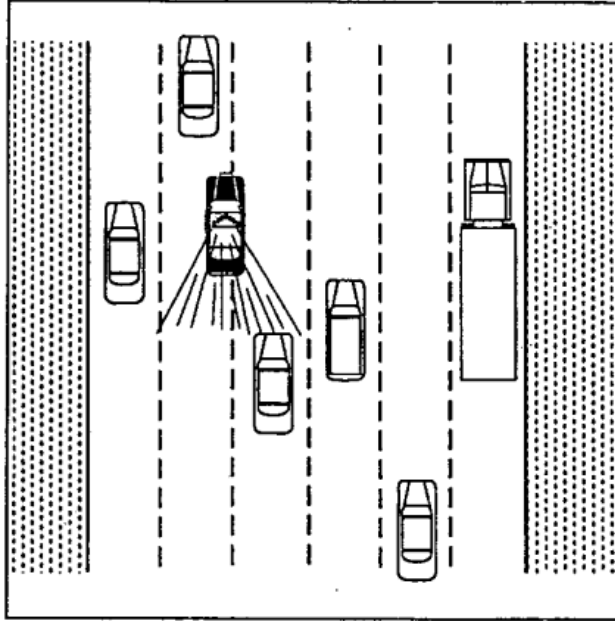
#### 4. ENFORCEMENT TECHNIQUES.

##### a. Stopping the Violator.

(1) After determining a driver is to be stopped, effective techniques should be used to ensure stopping on the right-hand shoulder rather than in the median or in a traffic lane. Because of the hazards of high speed and traffic volume on freeways, the officer must be aware of their primary responsibility to control traffic approaching from the rear, when attempting to stop a violator. Under these conditions, one error by a single driver can cause multiple traffic crashes. Special and unique methods have been developed which materially reduce the hazards involved in directing the violator from a high-speed traffic lane to a position of safety. The following procedures should be used whenever possible.

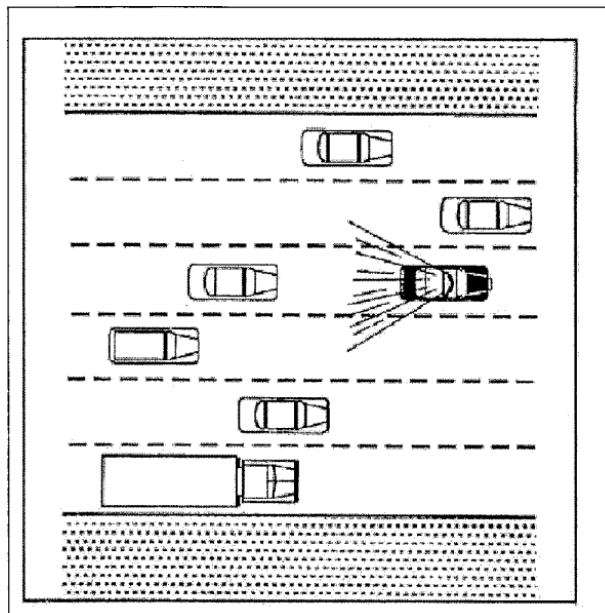
(a) The driver's attention should be obtained by the following sequential procedures (unless otherwise warranted): activating the steady red light, activating the wig-wag lights, sounding the horn, or sounding the siren. The use of high-beam lights or a white spotlight may temporarily affect the vision of the driver or cause them to stop suddenly in the roadway or median (refer to Chapter 3, Enforcement Stops, paragraph 3.f., of this manual).

(b) The patrol vehicle should normally be offset slightly to the RIGHT and to the rear of the violator's vehicle to permit evasive action if it becomes necessary, and to provide a protected lane for the violator's safe movement to the right. The rear amber warning lights should be used at this time to warn following traffic of the impending stop (refer to Picture 13-1).



Picture 13-1,  
Positioning of Patrol Vehicle

(2) When difficulties arise in gaining a violator's attention, it may be necessary for the officer to pull abreast, preferably on the right-hand side, in order to attract the driver's attention. The red light should not be displayed at the time (refer to Picture 13-2).



Picture 13-2,  
Gaining the Violator's Attention

(a) The moment the violator looks and identifies the patrol unit, the officer should apply the brakes slightly. No matter how fast the violator's reflexes are, the officer then has control of the situation and can slow down as necessary.

(b) During a violator's transition to the right, traffic should be held back in adjacent lanes by the use of the rear amber lights, turn signals, hand gestures, and the use of the public address (PA) system. The importance of communication between the officer and the violator cannot be overemphasized. The officer should check traffic before changing lanes. Because of anxiety, enthusiasm, or determination, there are times when a quick look is not sufficient to permit proper judgment of distance. These misjudgments sometimes result in unsafe movements. Officers cannot use the standard red-light approach from the rear, as is common on surface streets, because of the hazard of heavy, high-speed traffic traveling in multiple lanes. If motorcycle officers are working in pairs, one officer should be responsible for controlling traffic to the rear while the other is directing the violator from the roadway.

(c) If the violator's attention is not gained in time to stop at a desired stopping location, the violator should be permitted to proceed, if practicable, to the next safe stopping location.

(3) If possible, the officer should ensure the violator does not stop in the roadway or park in the median divider. All stops on freeways should be made completely off the roadway and as inconspicuously as possible, to minimize the possibility of a traffic slowdown. The officer should direct the violator to a surface street location if necessary.

(4) When a violator stops in the center divider, the officer must decide whether to handle the transaction there or to move to a safer location. Factors to be considered are divider width, traffic speed, traffic density, and other surrounding circumstances. The ultimate question is, "Are the hazards of conducting the stop in the center divider less than moving the violator across multiple freeway lanes?"

(5) The officer should avoid stopping violators where restricted shoulders or heavy congestion exist. The stop should be delayed until a safe location is reached. If asked, the officer should explain to the violator why the stop was not made at the original point of the violation.

(6) Some stops of violators on right-hand shoulders will be in hazardous locations. When this occurs, the officer should immediately give the violator clear directions where and when to move their vehicle before starting any

enforcement contact. A delay in moving may result in both the officer and the violator being struck by passing traffic. The proper use of the vehicle PA system in these situations can be very effective. Officers shall exercise courtesy and professionalism when utilizing the PA system.

(8) When a motorist/patrol vehicle is parked close to the edge of the roadway, it is a desirable practice to make all contacts from the side opposite passing traffic. This approach has many advantages over the traditional traffic side approach. The officer has the element of surprise working in their favor; they are not working in or close to the traffic lanes, and they are afforded more cover and concealment from possible attack by the driver or vehicle occupants.

(9) Recognizing the possibility of an out-of-control vehicle approaching, the officer must always be cognizant of any protection available during the time they are a pedestrian on the freeway. The officer must continually select areas of protection and be ready to utilize them in the event of a sudden emergency. The officer should be aware of the location of embankments, bridge abutments, chain link fences, and guard rails that may afford security.

(10) Motorcycle officers should develop the habit of mounting and dismounting on the **right-hand side** of the motorcycle. Pivoting on the right foot allows the officer's attention to be more easily directed to the stopped vehicle and passing traffic. Officers should allow sufficient distance behind a stopped vehicle to provide room to maneuver if necessary. Motorcycle officers, when on a stop and when working in pairs, should park their motorcycles in line rather than side by side.

(11) Passing traffic is a primary source of danger to the officer, in addition to any action committed by the occupant(s) in the vehicle.

(12) Officers should be discouraged from making a multiple-vehicle stop.

(a) The officer's safety is in jeopardy when watching the occupants of multiple vehicles.

(b) The hazards incurred attempting to move multiple vehicles to the shoulder are increased.

(13) Only those officers necessary to handle the vehicle stop should be at the scene. An excessive number of patrol vehicles can cause traffic to slow.

(2) The officer will often observe persons stopped on the shoulder of the freeway. Good professional judgment dictates that citations should not be issued in the following situations:

(a) A person utilizing a cell phone or other electronic digital device with a navigation application. In these situations, it is better to assist motorists and send them on their way.

(b) A person checking their vehicle for defects.

(c) A person has an honest, logical reason for stopping. For example: friends or relatives following the vehicle that is stopped for a traffic violation, news photographers, investigators for impending litigation, etc.

(3) Every consideration should be given to the intent of the violator and the officer must use sound, professional judgment rather than strict legal interpretation of the law in determining the type of enforcement action to be taken. Each case must be decided on the basis of the information available to the officer. A pedestrian should normally **not** be cited when:

(a) Their vehicle became disabled, and the person is seeking assistance.

(b) The driver of a vehicle is afoot to render assistance to another.

(c) The individual presents a reasonable and valid reason for being there. When in doubt, the pedestrian should be ordered or transported

from the freeway (e.g., when the pedestrian is at an on- or off-ramp and there is no interference with traffic.)

(4) Adverse public opinion will be generated by taking immediate enforcement action against funeral escorts or members of their procession. When infractions are observed, the officer should normally note the motorcycle(s) or motor vehicle license number(s), time(s), and location(s) of the violation, and submit a memorandum concerning the violation noted.

(a) Area staff should follow up, and enforcement action, as necessary, may be accomplished by a complaint.

(b) This method will reduce the emotional reaction of family and friends who are involved when processions and/or escorts are halted.

(5) Consider the basic philosophy underlying the Department's enforcement policy. Does the technical correctness necessitate the issuance of a citation? For example:

(a) An elderly or confused motorist failing to stop for the red light and siren, or one who pulls into the center divider.

(b) A doctor or any other motorist in the midst of an emergency situation.

1 Take the information, check its validity, and file a complaint later if necessary.

2 Assist rather than detain.

3 Consider the effect of bad publicity on the Department.

(c) When the officer originally intended to give a verbal warning, the driver's attitude should not change this intention resulting in a citation being issued.

(d) Officers should not threaten passengers in a vehicle with arrest when they get out of the vehicle and there is no apparent danger.

c. Assisting Motorists Back Into Traffic.

(1) The officer should assist the violator back into traffic. One of the officer's main concerns is to ensure the person is fit to resume driving after the citation.

(2) An officer should endeavor not to leave motorists on the shoulder, particularly during peak traffic periods. The officer should give understandable instructions and provide assistance in reentering traffic.

d. Speedometer Checks. Officers should not make speedometer checks for motorists for the following reasons:

- (1) The average motorist is not trained or adept in pacing vehicles.
- (2) The officer may find themselves as a defense witness against the Department or other police agency.
- (3) Adequate mileposts are available for checking speedometers. Officers should ascertain these locations and advise the motorist of the proper method of utilizing them.
- (4) Adequate private facilities for checking speedometers are available to the public.

5. WRONG-WAY DRIVERS. Even with adequate signposting, officers continue to face the very real problem of wrong-way drivers on full freeways. When this is observed or reported, it is a legitimate basis for a Code 33. Under these circumstances, a hazardous condition exists with a great probability that serious injury or death may result. In initiating a Code 33, the officer must realize the condition shall exist only as long as it takes to complete necessary transmissions that will reduce the "dire emergency." The originator of the Code 33 is responsible for its cancellation as soon as possible. Officers should refrain from also entering the freeway in the wrong direction when chasing a wrong-way vehicle. The officer should call available units who may stop traffic ahead approaching in the path of the wrong-way driver. The escort technique described in paragraph 6.d. of this chapter should be used when possible.

6. FREEWAY ESCORT TECHNIQUE.

a. Purpose.

- (1) Freeway escorting is designed to ensure the motoring public's personal safety and convenience on the freeway by reducing accidents and congestion.
- (2) The establishment of a technique for the gradual reduction in the speed of traffic as vehicles approach a hazardous location is necessary for the safety of both the officer and the public.

b. General.

- (1) Primarily, the hazard will be the slowing or stopping of traffic which is approaching congestion caused by an accident or incident. The location of

the freeway congestion will continually move due to the variables of traffic volume and roadway blockage.

(2) An escort should consist of one patrol unit per group of vehicles escorted. The unit can be either a car or a motorcycle; however, motorcycle units have less difficulty in the initial phase of this technique and should be used if available.

c. Procedural Example.

(1) An officer arriving on the scene of an accident finds traffic lanes blocked and determines this condition will continue to exist. This will create a congestion hazard due to speeding traffic braking suddenly to a complete stop.

(2) The on-scene officer will advise the shift supervisor of the need for escorting in accordance with Area policy. The supervisor should respond to the incident or accident causing the congestion. If the on-scene officer or supervisor determines the need for escorting, they will give instructions to the communications operator for units to initiate escort techniques.

(3) The first escort unit to arrive at the scene will immediately begin to escort traffic and will coordinate with the second escort unit. The initial unit will relay pertinent escort information to the second unit.

d. Escort Technique.

(1) When starting an escort, the unit will either wait for an interruption in the flow of traffic or gradually move into a suitable position. By attracting the attention of the lead drivers in each lane through the use of flashing rear amber warning lights, hand gestures, or the PA system, the unit will gradually slow the following traffic to a safer speed entering the congested location. Some Areas have "do not pass" signs available for display on the rear of patrol vehicles.

(2) The escort will be terminated when the original obstruction has been removed, traffic has returned to normal, or as directed by a supervisor.

e. Public Information.

(1) Education of the public concerning the escort technique is important.

(2) Publicity through the news media, social media, and personal appearance of officers, should be utilized whenever the opportunity presents itself.

f. Traffic Break.

(1) Often there are isolated services to be performed, such as the removal of a hazard from traffic lanes which cannot be accomplished under normal freeway traffic conditions.

(2) The beat officer may request assistance from another beat officer to run a break, slowing down and holding back traffic to create an opening in the flow. This allows the officer to perform the task with a degree of safety. Although clearance through a supervisor and the communications operator is usually not necessary, communication between beat units is essential.

(3) The use of this technique should be limited to those situations which are of an emergency nature and should not be abused.

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