

# Rules of the Road and Equipment Violations

Facilitator Guide

## Session Overview

Introduction & Learning Objectives	05m
<b>INDIVIDUAL EXERCISE</b> – Scenarios (5/90/20)	1hr45m
<b>Break</b>	<b>10m</b>
Discussion – Pretext Stops / Profiling	20m
Discussion – Controlling Passengers	10m
Discussion – Substantive, Definitive, & Procedural RCWs	10m
Discussion – Primary vs. Secondary Violations	10m
<b>End of Session / Break</b>	<b>10m</b>

*Total Session Time: 3 hours*

### **Main Topics of Session:**

- *Traffic RCW's*
- *Pretext Stops*
- *Motorcycle Profiling*
- *Controlling Passengers*

### **Facilitators Needed: 1 (TR)**

### **Location: Classroom**

### **Materials Needed:**

- *FG Supplemental - ANSWER KEY - Rules of the Road Scenarios*

### **Students Should Already Have:**

- *Pocket Press Books*

*[THUMB DRIVE]*

- *HANDOUT - After-Market Vehicle Equipment*
- *HANDOUT - Rules of the Road Scenarios*
- *HANDOUT - Mendez Passenger Control Checklist*
- *Book (424 pages) – WAPA 2014 Search & Seizure Manual (Mod 2 – Extras)*

### **Related Website(s):**

- *Commerical Vehicle Guide – [www.wsp.wa.gov](http://www.wsp.wa.gov)*



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## IMPORTANT POINTS

Before you pull a vehicle over, you must have reasonable suspicion or have developed probable cause. Therefore, you must be familiar with the RCW Traffic Code.

We will not cover all the traffic RCW's during class time, yet you are still responsible to know them. You will be tested on them!

- Reasonable Suspicion or PC to Stop
- Your Responsibility to Learn RCW's



## SAY TO CLASS

The next section is a self-study which takes the form of a scavenger hunt using the RCW. You are responsible for all of the RCWs in Chapter 37 and 61. This exercise will require you to search for specific infractions and give you exposure to what types of violations are in the RCW.

- All of RCW Titles 37 and 61
- Individual Exercise



STUDY

## STUDY MATERIAL - HANDOUT - Rules of the Road Scenarios

Instructions: This handout is in your Module 4 Study Guide.

Individually, you will have **1.5 hours** to research the RCW using the scenarios as a guide. Remember, you are responsible for learning more than just the infractions in these 25 scenarios, but these have been provided to you in order to help you explore specific categories. Sometimes more than one infraction may seem to fit for just one observed violation. You are expected to pick the one that fits best.

There may be more than one violation per scenario (i.e. seatbelt violation and a speed violation). Be sure to include all infractions discovered for each scenario. Be sure you have located and can list or explain:

- The elements needed to enforce the sections
- The proper enforcement methods for each violation
- The penalty or bail amount if applicable

We will meet back here in 1.5 hours and discuss each scenario. Be prepared to explain and support your answer.

NTF: At the conclusion of the 1.5 hours of work time, spend 20 minutes going through the answers to each scenario.

See file: **FG Supplemental - ANSWER KEY - Rules of the Road Scenarios**



BREAK (end of hour 2)



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## **STUDY MATERIAL** - BOOK (39 pages)[print one for each squad] - Washington Law Enforcement Legal Update 2006

Instructions: Your squad can use this document to answer questions during the following portion of class.



### NOTE TO FACILITATOR

Lead a 20-minute discussion on pretext stops and the court cases listed below. For each case, ask the squads to take 3-4 minutes to decide what the implications of the case are. They should use the Legal Update document you just handed out.

1. **State v. Ladson** 138 Wn.2d 343 (the case that essentially started it all here in Washington)
2. **Whren v. U.S.**(United States Supreme Court case ruling there is no such thing as a 'pretext stop – in contrast to Washington State Supreme Court that acknowledges they do exist)
3. **State v. DeSantiago** 97 Wn. App. 129
4. **State v. Hoang** 101 Wn. App. 732.



### IMPORTANT POINT

In 2011, Senate Bill 5242 was signed into law prohibiting "Motorcycle Profiling."

"Motorcycle Profiling" means the illegal use of the fact that a person rides a motorcycle or wears motorcycle-related paraphernalia as a factor in deciding to stop and question, take enforcement action, arrest, or search a person or vehicle with or without a legal basis under the United States Constitution or Washington State Constitution.



## **STUDY MATERIAL** - HANDOUT - Mendez Passenger Control Checklist [THUMB DRIVE]

Instructions: This handout addresses the legalities of controlling passengers on a traffic stop.



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**NOTE TO FACILITATOR**

Lead a 10-minute lecture on the rules concerning controlling passengers on traffic stops.

**NOTE TO FACILITATOR**

Lead a 10-minute lecture on the difference between Substantive, Definitive, & Procedural RCWs.

**NOTE TO FACILITATOR**

Lead a 10-minute lecture on the difference between Primary and Secondary violations.



**RESOURCE MATERIAL** - HANDOUT - After-Market Vehicle Equipment [THUMB DRIVE]  
- Commercial Vehicle Guide - [www.wsp.wa.gov](http://www.wsp.wa.gov)

Instructions: These resources are available on your thumb drive and in the computer lab for further study.

**BREAK/END OF SESSION**