



**2-41 TRAFFIC STOPS**

**Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):**

A. Related SOP(s)

- 2-1 Uniforms
- 2-8 Use of On-Body Recording Devices (OBRD)

B. Form(s)

State of New Mexico Uniform Traffic Citation

C. Other Resource(s)

- NMSA 1978, § 30-22-1(C) Resisting, Evading, or Obstructing an Officer
- NMSA 1978, § 30-22-1.1 Aggravated Fleeing a Law Enforcement Officer
- NMSA 1978, § 66-8-122(F) Immediate Appearance before Magistrate
- NMSA 1978, § 66-8-123(D) Conduct of Arresting Officer; Notices by Citation

D. Rescinded Special Order(s)

SO 21-43 Amendment to SOP 2-41 Traffic Stops

**2-41-1 Purpose**

The purpose of this policy is to provide procedures for Albuquerque Police Department (Department) sworn personnel while conducting traffic stops.

**2-41-2 Policy**

It is the policy of the Department that sworn personnel will conduct traffic stops in accordance with training and the best interests of public safety.

**N/A 2-41-3 Definitions**

A. Marked Unit

A vehicle is considered a marked unit when it is equipped with at a minimum forward and rear facing red flashing lights, a government-issued license plate, and Department insignia on both the driver and passenger side of the vehicle.

**7 2-41-4 Procedures**

A. Traffic Stops

1. Sworn personnel initiating traffic stops for observed violations shall:



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

**SOP 2-41**

**P&P Draft 11/10/2021**

- a. Only conduct traffic stops while:
    - i. Wearing the regulation/standard uniform, consistent with SOP Uniforms;
    - ii. In plainclothes, displaying their badge and additionally wearing the Department-approved raid jacket or vest, consistent with SOP Uniforms; or
    - iii. In a marked unit.
      1. An unmarked unit may assist, provided that a marked unit initiates the traffic stop.
  - b. Not charge an individual who fails to stop for a traffic stop with aggravated fleeing a law enforcement officer under NMSA 1978, §§ 30-22-1(C) or 30-22-1.1, unless the officer is in a marked unit that has decals or other prominent and visible insignia identifying the vehicle as a law enforcement vehicle;
  - c. Advise the Emergency Communications Center (ECC) of the impending stop;
    - i. Sworn personnel shall provide the license plate information, if available, and location, and any other driver vehicle information (license plate, description of the vehicle, and/or occupants, etc.).
  - d. Conduct the traffic stop in a safe location which allows for a safe exit and approach to the driver's vehicle;
    - i. Sworn personnel shall engage emergency lights when conducting a traffic stop.
      1. An officer may use the siren, public announcement (PA) system, and hazard lights.
      2. An officer may use the spotlight and/or high beams to illuminate the inside of the vehicle and to provide a safe approach to the vehicle.
  - e. Identify themselves as a Department officer and advise the reason for the stop;
  - f. Identify the driver and complete a warrants and Motor Vehicle Division (MVD) check;
  - g. If warranted, issue a State of New Mexico Uniform Traffic Citation for the observed violations; and
    - i. The officer may include the driver's phone number and email address, or that such information is unavailable, in the State of New Mexico Uniform Traffic Citation.
  - h. Assist the driver in re-entering traffic safely.
2. If a State of New Mexico Uniform Traffic Citation is to be issued, sworn personnel shall:
    - a. Explain all options to the driver/passenger;
    - b. Provide a copy of the State of New Mexico Uniform Traffic Citation to the driver/passenger; and
    - c. Review all documents with the driver/passenger.
  3. Sworn personnel shall not accept payment for the State of New Mexico Uniform Traffic Citation.
  4. For individuals who refuse to sign issued citations, sworn personnel shall:



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

**SOP 2-41**

**P&P Draft 11/10/2021**

**N/A**

- a. Thoroughly explain that their refusal to sign the citation shall result in the arrest of the driver/passenger consistent with NMSA 1978, § 66-8-122(F) NMSA 1978, § 66-8-123(D);
- b. Advise their supervisor; and
- c. Write a detailed Uniform Incident report of the incident when an arrest is made and log video into evidence, consistent with SOP Use of On-Body Recording Devices (refer to SOP Use of On-Body Recording Devices (OBRD) for sanction classifications and additional duties).

REDLINED



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**Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):**

A. Related SOP(s)

- 2-1 Uniforms
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B. Form(s)

State of New Mexico Uniform Traffic Citation

C. Other Resource(s)

- NMSA 1978, § 30-22-1(C) Resisting, Evading, or Obstructing An Officer or
- NMSA 1978, § 30-22-1.1 Aggravated Fleeing A Law Enforcement Officer
- NMSA 1978, § 66-8-122(F) Immediate Appearance before Magistrate
- NMSA 1978, § 66-8-123(D) Conduct of Arresting Officer; Notices by Citation

None

D. Rescinded Special Order(s)

SO 21-43 Amendment to SOP 2-41 Traffic Stops

**2-41-1 Purpose**

The purpose of this policy is to provide procedures for Albuquerque Police Department (Department) sworn personnel while conducting traffic stops.

**2-41-2 Policy**

It is the policy of the ~~Albuquerque Police Department (Department)~~ that Officers Sworn personnel will conduct traffic stops in accordance with training and the best interests of public safety.

N/A

**2-41-3 Definitions**

A. Marked Unit

A vehicle is considered a marked unit when it is equipped with at a minimum forward and rear facing red flashing lights, a government-issued license plate, and Department insignia on both the driver and passenger side of the vehicle.

7

**2-41-4 Rules Procedures**



A. Traffic Stops

1. ~~Officers~~ Sworn personnel initiating traffic stops for observed violations shall:

- a. Only conduct traffic stops while:
  - i. Wearing the regulation/standard uniform, consistent with SOP Uniforms;
  - ii. In plainclothes, displaying their badge and additionally wearing the Department-approved raid jacket or vest, consistent with SOP Uniforms; or
  - iii. In a marked unit.
    - ~~b. 1. An unmarked unit may assist, provided that a marked unit initiates the traffic stop.~~
- b. Not charge an individual who fails to stop for a traffic stop with aggravated fleeing a law enforcement officer under NMSA 1978, §§ 30-22-1(C) or 30-22-1.1, unless the officer is in a marked unit that has decals or other prominent and visible insignia identifying the vehicle as a law enforcement vehicle.
- c. Advise the Emergency Communications Center (ECC) of the impending stop:
  - i. Sworn personnel shall provide the license plate information, if available, and location, and any other driver vehicle information ~~giving violator's vehicle information~~ (license plate, description of the vehicle, and/or occupants, etc.) ~~and location.~~
- d. Conduct the traffic stop in a safe location which allows for a safe exit and approach to the ~~violator~~ driver's vehicle.
  - i. Sworn personnel shall ~~engage~~ emergency lights when conducting a traffic stop.
    - 1. An officer may ~~use of~~ the siren, public announcement (PA) system, and hazard lights ~~are also authorized.~~
    - 2. An officer may use ~~the~~ spotlight and/or high beams ~~may be used~~ to illuminate the inside of the vehicle and to provide a safe approach to the vehicle.
- e. Identify themselves as an Albuquerque Police Department ~~Officer~~ and advise the reason for the stop.
- f. Identify the driver and complete a warrants and Motor Vehicle Division (MVD) check.
- g. If warranted, issue a ~~current~~ State of New Mexico Uniformed state Traffic Citation for the observed violations ~~and any other determined violations~~; and
  - i. The officer may include the driver's phone number and email address, or that such information is unavailable, in the State of New Mexico Uniform Traffic Citation ~~Citation should include driver's phone number and email address.~~
- h. Assist the ~~violator~~ driver in re-entering traffic safely.

2. If a State of New Mexico Uniform Traffic Citation is to be issued, ~~officers~~ sworn personnel shall:

- a. Explain all options to the driver/passenger ~~Violator.~~
- b. Provide a copy of the State of New Mexico Uniform Traffic Citation to the driver/~~violator~~ passenger; and



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-41

P&P Draft 11/10/2021

c. Review all documents with the driver/passenger/violator.

3. ~~Officers~~ Sworn personnel shall not accept payment for the State of New Mexico Uniform Traffic Citation.

For

4. ~~Person~~ individuals who refuse to sign issued citations, sworn personnel shall:

a. ~~Officers Sworn personnel shall~~ Thoroughly explain that their refusal to sign the citation ~~will~~ shall result in the arrest of the driver/violator/passenger consistent with NMSA 1978, § 66-8-122(F) NMSA 1978, § 66-8-123(D).

b. ~~Officers Sworn personnel shall~~ Advise their supervisor; and

b. ~~Officers Sworn personnel shall~~ Write a detailed Uniform Incident report of the incident when an arrest is made and log video into evidence, consistent with ~~conducted in accordance with~~ SOP Use of On-Body Recording Devices (Refer to SOP Use of On-Body Recording Devices (OBRD) for sanction classifications and additional duties).

N/A

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~~#c.~~

REDLINE