
	Florida State University Police Department	
Discretionary Traffic Enforcement		
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Policy - Discretionary Traffic Enforcement

It is the explicit policy of the Florida State University Police Department (FSU PD) to conduct traffic enforcement activities in a consistent and uniform manner in accordance with state statutes and federal laws. However, certain classifications of persons may create the need for a particular response to traffic violations on the part of the FSU PD. Therefore, depending upon the circumstances as discussed below, foreign diplomats, consular officials, legislators, and/or military personnel, who commit traffic offenses, may be subject to certain procedures not applicable to other classifications of persons within the general population.

Procedures

A. Diplomatic and Consular Officials [CFA 18.01 C]

A complete discussion of the procedures to be followed when a foreign diplomatic official’s motor vehicle is stopped is included within the provisions of the General Order titled, “Foreign Nationals.”

B. Members of the U. S. Congress and Florida Legislature

In call cases except treason, felonies, or breach of the peace, U. S. Senators and members of the House of Representatives are immune from arrest. However, driving under the influence shall be considered within the category of a breach of the peace; A traffic infraction committed by a Florida State Legislator may result in the issuance of a citation. Specific circumstances when members of the U. S. Congress and Florida Legislature may **not** be arrested include:

1. During their attendance at sessions of their respective houses.
2. While going to and returning to same.

C. Military Personnel

On occasion, it may be necessary to issue a traffic citation to military personnel or effect a physical arrest.

1. When military personnel are physically arrested, the Armed Force Investigative Division Liaison Officer of the nearest Armed Forces HQ shall be notified by the arresting officer.

2. If a traffic infraction has been committed by military personnel, a citation for the offense may be issued.

D. **Non-Residents [CFA 18.01 A.]**

Individuals who are not legal residents of the State of Florida shall be warned, cited, and/or arrested in the same manner as residents of this state.

E. **Juveniles [CFA 18.01 B.]**

Juveniles shall be issued traffic citations in the same manner as adults. However, juveniles who are physically arrested shall be handled in accordance with the provisions of the General Order titled, "Juvenile Procedures."

Glossary

Citation—A Uniform Traffic Citation (UTC)


Diplomatic Official—Officials from foreign governments in the U. S. who have varying levels of diplomatic immunity from prosecution, depending upon their rank and agreements between the foreign government they represent and the U. S. State Department.

Military Personnel—Any active duty members of the U. S. Army, Navy, Marine Corps, Air Force, and Coast Guard. This also includes members of the Reserves and National Guard while on active duty.

Index

Diplomatic Immunity
Juveniles, Traffic Offenses
Military Personnel
Traffic, Discretionary Enforcement
Uniform Traffic Citation (UTC)

Attachments—None

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