

801-R-xxx LAW ENFORCEMENT OFFICER FOR WORK ZONE SAFETY

(Adopted xx-xx-17)

Description

This work shall consist of providing a Law Enforcement Officer, LEO, to assist with the safe, efficient, orderly movement of traffic and to enhance worker safety during construction activities.

Materials

Materials shall be in accordance with 801.02 and as described herein.

Construction Requirements

Traffic Control and work zone safety shall be in accordance with 801.

Some uses for the LEO may include providing a presence during: set up; tear down; substantial traffic shifts; or when new lane closure arrangements are initiated for long term lane closures or shifts, for the first and last day of major changes in traffic control set up. Other unique project uses, including queue protection, may be specified so that overall worker and motorist safety is enhanced. Use of a LEO by the Contractor other than the uses specified will not be allowed at project cost without the prior approval of the Engineer. The LEO shall not be used where the MUTCD specifies that flaggers shall be used.

Equipment

Any LEO shall have a fully marked police vehicle with emergency flashing lights and complete markings of the appropriate law enforcement agency. The fully marked police vehicle shall be equipped with an 800 MHz radio/portable radio that contains the local and statewide mutual aid channels within the area the LEO is working.

The Contractor shall establish direct communication with the LEO prior to the start of their shift. The method of communication shall be at the discretion of the Contractor and may include the exchange of mobile telephone numbers or dedicated communication devices, such as mobile phones and walkie-talkies. Dedicated communication devices shall be returned to the Contractor at the end of the LEO's shift.

Personnel

The LEO shall be in full police uniform and shall be a graduate of the Indiana Law Enforcement Academy.

In accordance with IC 8-23-2-15(b), the duties of a police officer hired under this special provision shall:

- (1) Be limited to those duties that the police officer normally performs while on active duty; and
- (2) Not include the duties of a
 - a. Flagman; or
 - b. Security Officer.

When outside the vehicle, the LEO shall wear the correct ANSI certified high-visibility safety apparel provided by their department.

Operation

The Contractor shall be responsible for securing the services of the LEO with the appropriate agency and communicating the intentions of the plans with respect to duties of the LEO.

The Contractor and the LEO shall follow the standards for placement of LEO in work zones set forth by the NCHRP Report 746. Prior to beginning work on a contract, the LEO shall certify completion of the following National Highway Institute web based training:

Safe and Effective Use of Law Enforcement in Work Zones.
FHWA-NHI-133119. Accessible at:

http://ops.fhwa.dot.gov/wz/traffic_mgmt/wzsm.htm

At least one representative from the Contractor, who has also completed this training, shall be onsite whenever a LEO is present. The LEO, the Contractor, and the Engineer are required to review and agree to adhere to the requirements contained in 801-R-XXXD GUIDELINES FOR LAW ENFORCEMENT OFFICERS WHEN WORKING IN INDOT WORK ZONE, prior to beginning construction activities.

The Contractor shall be responsible for the LEO's duties and placement, and shall inform the Engineer of any issues that may arise. Duties and placement of the LEO are subject to approval by the Engineer.

The LEO shall report to the Contractor prior to the start of the shift, in order to receive instructions regarding specific work assignments. The LEO shall stay at the project site for the entire duration of their shift and report to the Contractor at the end of the shift. If the LEO has completed the duties described above and still has time remaining on their shift, the LEO may be asked to patrol through the work zone, with flashing lights off, or be placed at a location to deter motorists from speeding or following too closely. When necessary to leave the project site, the LEO shall first notify the Contractor. The Contractor shall then notify the appropriate Department personnel.

All LEOs shall follow the procedures for infraction and ordinance violation enforcement established by IC 9-21-5-11 while working within the work zone, such as issuing citations for infractions or detaining individuals in violation of traffic laws when and where appropriate.

The LEOs shall not forgo their traffic control responsibilities to apprehend motorists for routine traffic violations, except that enforcement action is encouraged as a mechanism to enhance motorist compliance and increase driver awareness. However, if a motorist's actions are considered to be reckless or endangering to the workers or to the motoring public, then pursuit of the motorist is appropriate. LEOs shall also provide a response to any incident or situation that involves public safety near or within the project limits to ensure the safety of the parties involved, and the motoring public.

Method of Measurement

Law enforcement officer for work zone safety will be measured by the number of hours during the phase or phases of traffic control that

require the LEO's presence. Each portion of an hour will be measured as a whole hour.

If a LEO is directed by their agency to respond to a situation that is not related to the contract, the time involved in responding to that situation will not be measured for payment.

Basis of Payment

Law enforcement officers will be paid for at the contract unit price of \$34 per hour.

Payment will be made under:

Pay Item

Pay Unit Symbol

Law Enforcement Officer.....HR

801-R-XXXD GUIDELINES FOR LAW ENFORCEMENT OFFICERS
WHEN WORKING IN INDOT WORK ZONES

(Adopted xx-xx-17)

The following Guidelines training is required for:

1. At least one Contractor representative who shall be onsite whenever a LEO is present.
2. Any LEO prior to working on a Department contract.
3. At least one Department representative who will be onsite whenever a LEO is present.

This training shall be conducted in a group forum with all of the above parties present. Either the Contractor or Department personnel should lead the discussion on the topics contained herein.

INDOT PE/S will ensure all parties have a copy of this document during the training.

Prior to working on the contract, the LEO shall have also completed the following training:

NHI-133119, accessible at: http://ops.fhwa.dot.gov/wz/traffic_mgmt/wzsm.htm

INSTRUCTIONS FOR THE LAW ENFORCEMENT OFFICER

1. Exchange contact information with the Contractor, Department personnel, and other Law Enforcement Officers prior to the start of the shift.
2. Make daily contact with the Contractor or Department point of contact when arriving to or leaving the jobsite.
3. Arrive at the jobsite at the agreed upon time, or at minimum, 15 minutes prior to the Contractor's scheduled start time.
4. Do not leave until traffic control devices have been removed from the roadway. Provide presence for Contractor personnel who are removing traffic control devices.
5. Do not park partially or completely in an open lane of traffic unless traffic is stopped.
6. When located on shoulder, safely park vehicle on the same shoulder as the arrow board, when possible.
7. When parking on shoulder, park far enough off of roadway so door can be opened without it extending into traffic.
8. Do not perform an activity you believe to be unsafe.
9. Do not serve as a flagger for the Contractor.

ACCEPTABLE PROCEDURES FOR THE LAW ENFORCEMENT OFFICER

Protecting a Queue

1. Stay approximately 1/4 mile in advance of the queue.
2. If an arrow board is in use, park on same side of road as arrow board, when possible.
3. Face queue with emergency lights on.
Facing traffic provides better visibility for the LEO. However, there are situations in which facing traffic may not be practical or possible. Safety First.

4. Keep headlights off.
5. Protecting queue is top priority unless otherwise directed.
6. Do not leave queue to investigate an accident if it is determined that leaving the queue will cause additional accidents in the queue. Call for assistance with accidents if necessary.

Providing a Presence near an Operation

1. Park facing the same direction as traffic.
2. Park in a visible location behind the operation you are protecting.
3. Pursue motorists that are driving recklessly.
4. Occasional pursuit of speeders to issue citations may be necessary to ensure motorists respect the speed limit. Necessity and frequency of this shall be discussed with Department personnel prior to the start of work.
5. Do not pursue motorists for other routine traffic violations.
6. Investigate accidents in or near the work zone. Instruct motorists to move vehicles from roadway to reduce the possibility of queues. Call for assistance with accident if necessary.
7. If your presence is causing issues with motorists, contact the Contractor and the Department point of contact.

It is important for appropriate Contractor personnel, Department personnel, and the LEO to meet prior to the beginning of a shift to discuss the day's work, in order to

- a) review any phase changes that may occur during the work shift,
- b) determine the LEO's positioning during the course of the shift, and
- c) discuss any potential problems that might be encountered.

Proper planning will not only reduce the possibility of surprises, but will also provide a better chance of everyone being on the same page when unique situations arise. This is especially important when a quick decision needs to be made by one of the parties. By understanding these guidelines, planning ahead, and functioning as a team, it increases the likelihood that the best decision will be made for the workers and the motoring public.

The Contractor's choice of the duties and placement of the LEO on any given work shift are subject to approval by the Engineer.

By signing below, I affirm that I have read and agree to comply with these Guidelines.

Law Enforcement Personnel	Contractor Personnel
INDOT Personnel	Date of Review

It is required that this material be reviewed and signed by all parties whenever a new LEO or a new point of contact for the Contractor or the Department is assigned to the contract.

INDOT PE/S will retain a copy of this document in contract files.

All parties are encouraged to keep a copy of this document with them for reference.