



# Sarnia Police Services Board Policy

Issue Number:

**SPS-BP-AI-013**

<b>Subject:</b> <b>Speed Measuring Devices</b>	<b>Effective Date:</b> <b>September 14, 2023</b>
<b>Replaces:</b> <b>SPS-BP-AI-013 (2008)</b>	<b>Distribution:</b> <b>All Members</b>
<b>Last Reviewed:</b> <b>August 2023</b>	<b>Expiration Date:</b> <b>Indefinite</b>
<b>Approved By:</b> <b>Board Chair</b>	<b>Signature:</b> <i>Paul Wiersma</i>

## **A Legislative/Regulatory Requirements**

Section 29 of the Ontario Regulation (O. Reg.) 3/99 (“Adequacy and Effectiveness of Police Services”), made under the *Police Services Act* (PSA), requires a police services board to have a policy on traffic management, traffic law enforcement and road safety which includes a policy on the proper acquisition, use and maintenance of Speed Measuring Devices and related training.

In addition, section 8 of O. Reg. 3/99 requires the Chief of Police to establish procedures on traffic management, traffic law enforcement and road safety which includes procedures on the proper acquisition, use and maintenance of Speed Measuring Devices and related training.

The *Occupational Health and Safety Act* (OHSA) outlines the responsibilities of employers, supervisors and workers for workplace safety. The Ontario Ministry of Labour’s Health and Safety Guideline on “*Radiofrequency and Microwave Radiation in the Workplace*” (or its successor) sets out Occupational Exposure Limits; and is enforced in Ontario workplaces by the Ministry of Labour (MOL).

The Occupational Exposure Limits in the above noted MOL Guideline are based on Health Canada’s “Limits of Human Exposure to Radiofrequency Electromagnetic Energy in the Frequency Range from 3 kHz to 300 GHz”, *Safety Code 6, 2009* or its successors.

The Ontario Police Health and Safety Committee (OPHSC) has prepared Guidance Note #8 which is entitled, "*High Visibility Garments*". This Guidance Note (or its successor) provides procedures for the wearing of high visibility garments when employees are exposed to traffic hazards. MOL inspectors refer to OPHSC Guidance Notes when they carry out their enforcement duties under the OHSA.

The current "*Speed Measuring Device Performance Specifications: Down-The-Road Radar Module*" (DOT HS 809-812, June 2004, Technical Manual or successor versions) is a publication of the National Highway Traffic Safety Administration (NHTSA). This NHTSA Technical Manual has been adopted by the International Association of Chiefs of Police (IACP); and, it is recognized as the performance standard for speed measuring radar<sup>22</sup> devices.

The current "*Speed Measuring Device Performance Specifications: Lidar Module*" (DOT HS 809-811, June 2004, Technical Manual or successor versions) is an NHTSA publication. This NHTSA Technical Manual has been adopted by the IACP; and, is recognized as the performance standard for speed measuring lidar<sup>23</sup> (laser) devices.

For the purposes of these requirements, an Operator is a person assigned to/carrying out traffic enforcement duties, who has successfully completed the accredited/prescribed initial and refresher training by a qualified Instructor.

## **B Board Policy**

1. It is the policy of the Sarnia Police Services Board with respect to speed measuring devices that The Chief of Police will:
  - (a) Ensure the provision of speed measuring devices that:
    - (i) Comply with the current NHTSA performance standards adopted by the International Association of chief of Police (IACP) and entitled, "*Speed Measuring Device Performance Specifications: Down-the-Road Radar Module*" (DOT HS 809-811, June 2004, Technical Manual or its successor versions) ;
    - (ii) Do not exceed 50W/m<sup>2</sup> occupational exposure limits (formerly expressed as 5mW/cm<sup>2</sup>) in compliance with the Occupational Exposure Limits established by Health Canada's Safety Code 6, 2009 and adopted by Ontario Ministry of Labour's Health and Safety Guideline Note "*Radiofrequency and Microwave Radiation in the Workplace*" and their successors; and
    - (iii) Are tested and certified initially by the manufacturer to be in accordance with the above NHTSA performance standards and similarly tested and certified following any major repair;

- (b) Ensure that each operator uses, maintains and cares for the speed measuring devices provided to them in accordance with the manufacturer's manual for the specific device;
- (c) Ensure that operators:
  - (i) Use speed measuring devices only after successfully completing the accredited/prescribed training by a qualified instructor;
  - (ii) Do not permit devices to transmit when not in use; and
  - (iii) Always direct the speed measuring devices away from their body, specifically the head and groin areas;
- (d) Ensure that, at least every thirty-six months, every operator who may be required to use speed measuring devices successfully completes an accredited or prescribed training course by a qualified Instructor that reviews the topics covered in the initial accredited/prescribed training course, including updates on changes in case law, new technological developments and/or operating procedures; and
- (e) Ensure that operators receive information on: the current NHTSA performance standards adopted by IACP and entitled, "Speed Measuring Device Performance Specifications: Down-the-Road Radar Module" (DOT HS 809-812, June 2004, Technical Manual); and "Speed Measuring Device Performance Specifications: Lidar Module" (DOT HS 809-811, June 2004, Technical Manual); Health Canada's Safety Code 6, 2009; the OHSA including the Ontario Ministry of Labour's Health and Safety Guideline entitled, "Radiofrequency and Microwave Radiation in the Workplace"; and the Ontario Police Health and Safety Committee (OPHSC) Guidance Note #8 entitled, "High Visibility Garments" (or successor versions of any of these).

