Sarnia Police Services Board Policy

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Subject:	Effective Date:
Speed Measuring Devices	
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Approved By: Board Chair	**Signature:** Paul Wiersma

A Legislative/Regulatory Requirements

Community Safety and Policing Act*, 2019, S.O. 2019, c. 1, Sched. 1**, provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by **Section 10** of the ***CSPA.

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, 2015 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 2016, 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 devices.

The current *"Speed Measuring Device Performance Specifications: Lidar Module"* (DOT HS 809-811, June 2013, 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 (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 Policy Statement

1. The Board has deemed it appropriate and consistent with the principles set out in **Section 1** of the ***CSPA***, with its objectives and priorities determined pursuant to **Sections 37** and **38** of the ***CSPA*** that it establish a policy on the proper acquisition, use and maintenance of Speed Measuring Devices and related training and to require the Chief of Police to establish procedures on the proper acquisition, use and maintenance of Speed Measuring Devices.

C 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 Chiefs of Police (IACP) and entitled, *"Speed Measuring Device Performance Specification"* (DOT HS 809-811, June 2013, Technical Manual or its successor versions);

        (ii) Do not exceed 50W/m2 occupational exposure limits (formerly expressed as 5mW/cm2) in compliance with the Occupational Exposure Limits established by Health Canada's Safety Code 6 2015 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" (DOT HS 809-811, June 2013, Technical Manual); Health Canada's Safety Code 6 2015; 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).

2. The Chief shall ensure that members receive the appropriate training in relation to speed detection devices. The Chief shall also ensure that members who operate speed detection devices have the requisite knowledge, skills and abilities and receive training on an ongoing basis.
3. The Chief shall ensure that appropriate equipment, in accordance with the Ministry's performance standard for speed detection devices, is used and available to members who provide the service of traffic radar.

4. The Chief of Police will provide information in the annual report with respect to speed detection devices.