

801-R-672 LAW ENFORCEMENT OFFICER FOR WORK ZONE SAFETY

(Revised 03-04-21)

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. Utilization of the LEO may include providing a presence for:

1. Maintenance of traffic set up, tear down, and substantial traffic shifts.
2. When new lane closure arrangements are initiated for long term lane closures or shifts.
3. The first and last day of major changes in traffic control set up, and queue protection.
4. Other unique project uses specified to enhance overall worker and motorist safety.

Use of a LEO by the Contractor other than as specified above 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.

LEO Personnel Requirements

The LEO shall be an off-duty, non-ISP Law Enforcement Officer in full police uniform. The LEO shall be a graduate of the Indiana Law Enforcement Academy Basic Course, or equivalent, and shall be a police officer or deputy actively employed by a police agency in Indiana. Equivalency of training will be at the discretion of the Department.

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.

Equipment

The LEO shall use a marked police vehicle with emergency flashing lights and complete markings of the appropriate law enforcement agency. At a minimum, the 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.

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

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 the duties of the LEO. The Contractor and the LEO shall follow the standards for placement of the LEO in work zones set forth by the NCHRP Report 746.

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. The Contractor may provide the LEO with dedicated communication devices. Contractor provided dedicated communication devices shall be returned to the Contractor at the end of the LEO's shift.

Training

Training for the LEO, the Contractor, and the Engineer will be conducted in two parts. Both trainings shall occur prior to individuals beginning traffic maintenance operations on the contract. The first part of the training will be an individual web-based training. The second part will be a discussion-based training. At the end of the second training, all parties shall sign the signature page to attest they have completed both portions of the law enforcement officer training.

Part 1

The LEO, at least one representative of the Contractor who will be onsite when the LEO is present, and the Engineer, shall complete the Department's web based "Law Enforcement Officers in INDOT Work Zones Training". The training is available on the Work Zone Safety website located at <https://www.in.gov/indot/3980.htm>.

The names of any additional individuals proposing to take this training shall be submitted to the Engineer prior to taking the training.

Part 2

The LEO, the Contractor, and the Engineer are also required to review and agree to adhere to the requirements contained in Department specific training entitled "Instructions and Procedures For Non-ISP Law Enforcement Officers When Working in INDOT Work Zones" prior to beginning maintenance of traffic operations. The training document is accessible at <https://www.in.gov/indot/3980.htm>.

The Part 2 training instruction document, any training notes, and the signature document will be retained within the contract files.

Engineer Responsibilities

The activities of the LEO are subject to the authority and direction of the Engineer, in accordance with 105 and 108, and are limited to the activities associated with the contract work zone. The Contractor's choice of duties and placement of the LEO on any given work shift are subject to approval by the Engineer. The Engineer will have no authority over the LEO when the LEO is acting in an agency enforcement capacity. The Engineer may direct the LEO to perform enforcement and other unspecified activities

to encourage motorists to respect the work zone. Unspecified uses will not be allowed without the prior approval of the Engineer.

Contractor Responsibilities

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 Contractor shall ensure that the LEO remains at the project site for the entire duration of their shift and reports back at the end of the shift unless directed otherwise by the Engineer.

LEO Responsibilities

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 it is 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. This shall include 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 to enhance motorist compliance and increase driver awareness. If a motorist's actions are considered 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.

Law enforcement officer training will not be measured for payment.

Basis of Payment

Law enforcement officers will be paid for at the contract unit price of \$60 per hour.

Training shall be included in the cost of other items.

Payment will be made under:

Pay Item

Pay Unit Symbol

Law Enforcement Officer.....HR
