

FREDERICK POLICE DEPARTMENT GENERAL ORDER

Section 2: Traffic Operations
Topic: TRAFFIC COLLISION INVESTIGATIONS
Approved: 10/02/18
Review: Annually in September by Patrol Commander
Supersedes: G.O. 230 dated 10/01/17

Order Number: 230
Issued by: Chief of Police

.01 PURPOSE:

To furnish guidelines for motor vehicle collision investigations *in general*.

.02 CROSS-REF:

G.O. [150](#), "Incident Reports"
G.O. [234](#), "Fatal or Serious Injury Collisions"
G.O. [250](#), "Departmental Traffic Collisions"
G.O. [290](#), "Vehicle Towing and Impound Procedures"
G.O. [458](#), "Hazardous Materials Incidents"
CALEA STANDARDS: 61.3.2; 82.2.1
Form PD-137 Exchange of Information

.03 DISCUSSION:

Use of consistent methodology in investigating collisions is essential to ensure that each crash is investigated properly. This General Order provides guidelines for the investigation of crashes, *in general*. More specialized procedures are captured in general orders listed in Section .02 above pertaining to specific types of collisions.

.04 POLICY:

It is the policy of the Department to respond to traffic collisions occurring within the City and investigate those mandated by the Maryland Vehicle Law, Title 20 and this order. Traffic collisions will be investigated (within the parameters of this order) to determine the cause, so methods of prevention and/or selective/directed enforcement may be developed, and to determine if the cause of the collision constituted a violation of the Maryland Transportation Article. Officers will contact needed medical, fire, or rescue services; investigate the collision; record short-lived evidence; and restore normal traffic flow. Officers will in all cases facilitate the appropriate exchange of information between drivers.

.05 DEFINITIONS:

.10 INVESTIGATION REQUIRED:

1. An ACRS (Automated Crash Reporting System) investigation is required by Maryland Vehicle Law, Section 20-107 whenever a fatal or a personal injury collision occurs within the City.
2. In order to ensure that the Department is responsive to the victims of crashes and that the collision is investigated properly when there is a serious violation of motor vehicle law, the following collisions will also require a ACRS report unless waived by the supervisor:
 - A. Collisions caused by, or accompanied by, any arrestable "Must Appear" motor

- vehicle violation;
 - B. Hit and run collisions involving personal injury or when a suspect is identified;
 - C. Frederick City-owned vehicle collisions, unless the supervisor of the city employee involved declines the investigation;
 - D. Collisions involving hazardous materials which meet the requirements to be placarded; and,
 - E. When requested by any party at the scene involved in the collision, regardless of the damage incurred.
3. Whenever an ACRS is completed and charges are placed, the charging officer will advise all parties involved of the issuance of the citation and witness summonses as well as the mandated appearance in court if a trial is held.
 4. Investigating officers will also advise all parties of the crash that the results of the investigation will determine which driver(s) is at fault. The results are not a determination of liability for payment for personal injury or property damage.

.12 SUSPENSION OF SECTION .10 BY SUPERVISOR:

If a situation should arise at any time where members cannot effectively investigate a collision noted in Section .10 due to severe weather conditions or other extenuating circumstances, Section .10 (e) may be handled by submission of an Etix Exchange form /Form PD-137 in which the drivers exchange information. The officer will complete the form for all parties involved.

.15 INVESTIGATION NOT REQUIRED:

1. Except for investigations mandated in Section .10, members have the discretion to investigate any collision; however, they are not required to investigate any collision which is not reported contemporaneously with its occurrence or its discovery except as mandated in this order.
2. If an ACRS report is not required, but the investigating officer believes the nature and/or severity of the collision should be documented, the investigating officer will complete an ACRS report.
3. Drivers may choose to “settle the matter between themselves” (except when an ACRS mandated by Section .10 is required) by exchanging identifying and insurance information. If this decision is made, then the officer will:
 - A. Ensure each driver is properly licensed and each vehicle properly registered;
 - B. Complete Etix Exchange form /Form PD-137, give a copy to each driver, and maintain a copy for the Department; and,
 - C. Not take any enforcement action, nor give any judgment/notation concerning liability.
4. If an officer arrives on the scene of a collision and finds that the parties involved have already exchanged information, the parties do not desire/require additional police assistance, and the collision does not meet the criteria in Section .10, then the officer

may clear the call with the appropriate clearance code. The responding officer should ensure that the information exchanged between parties meets all legal requirements.

.20 DISPATCH OF OFFICERS:

1. When directed to respond to a collision, the officer will be informed (if available) of: the exact location; severity of the collision; whether traffic is blocked; and other assigned units such as officers, ambulance, fire apparatus, and public works or utilities.
2. Officers should drive safely to the scene, consistent with the need for a prompt emergency response. While en route, officers should be alert for vehicles leaving the vicinity which exhibit indications of involvement in a collision.

.30 AT-SCENE ACTIVITIES:

1. Take all necessary actions to minimize the risk of additional collisions and/or injuries. The police vehicle should be parked in such a manner as to provide maximum protection to the scene. Consistent with the need to preserve evidence, if the roadway is blocked by debris and/or vehicles only, and if there are no injuries requiring immediate attention, the officer will clear the roadway as rapidly as possible. **When required to be in the traveled portion of the roadway, officers will use reflective vests to increase their visibility, regardless of the time of day.**
2. Officers will assess the scene to determine the need to summon assistance for:
 - A. Emergency medical services;
 - B. Firefighting services;
 - C. Protection of the scene;
 - D. Control of traffic; and/or,
 - E. Additional investigative skills such as an crash reconstructionist.
3. The first arriving officer will:
 - A. Care for injured persons until relieved by fire/rescue personnel.
 - (1) The officer will describe to the dispatcher the number of persons injured, nature and severity of injuries, and whether anyone is trapped or pinned in the vehicle.
 - (2) The officer will refrain from moving collision victims from vehicles unless exigent circumstances such as the vehicle is on fire or CPR is needed.
 - B. Identify potential or actual fire hazards or other dangerous conditions so appropriate action can be taken. If "live" electrical wires are touching the car, the occupants should stay in the vehicle.
 - C. Establish a safe traffic flow around the scene utilizing emergency lighting, flares (if safe) or traffic cones. Additional resources can be requested for large scale scenes i.e. DPW signs or SHA Chart Truck.
 - D. Identify all drivers and obtain drivers' licenses, registrations, and proof of

insurance.

- E. Identify and document all interviews of drivers, occupants, and witnesses.
 - (1) Interviewing officer(s) should be alert to any physical or emotional impairment (temporary or permanent) which may have affected the person's driving ability to include evidence of alcohol and/or drug impairment.
 - (2) Officers will question drivers relative to their direction of travel, emotional experience (i.e., aggravation with traffic during rush hour), point at which danger was first perceived and what the driver was doing at that point; evasive action taken; and the condition of the vehicle prior to the collision.
 - (3) Vehicle occupants, although not "independent witnesses" will still be interviewed; questioned about their seating position; and what they saw, heard, etc.
 - (4) Witnesses will be questioned, when available and practical, as to their exact location when they witnessed the collision; what they were doing at the time; what called their attention to the collision; and what they saw, heard, or did in response.
 - (5) Officers will control all parties involved to alleviate any disturbances/arguments.
 - F. Obtain all physical and photographic evidence necessary to clarify the chain of events which produced the collision, including, but not limited to:
 - (1) Assessment of operators for alcohol/drug involvement;
 - (2) Hazards, marks, and defects in roadway, lighting, signs, etc.;
 - (3) Measurements of the location of bodies or vehicles, when appropriate;
 - (4) Preliminary examination of vehicle condition; (if a defect is found that would make the vehicle unsafe to drive, it will be towed from the scene).
 - (5) Photographs (if appropriate) of marks and debris on the road, external damage to vehicles and roadside objects, final positions of the vehicles and any other evidence; and,
 - (6) Examination of condition of vehicles and traffic control devices, etc.
 - (7) Collection and interpretation of this type of evidence should, when possible, be completed by a crash reconstructionist or an officer who has received advanced training in that area.
4. The first arriving officer will assume command of the scene and will direct other officers unless relieved by an officer of higher rank. Any crash reconstructionist called to the scene will become the officer in charge of the actual investigation.

- A. Special training is provided to crash reconstructionists. They may be assigned or called out to investigate any collision deemed complex by the supervisor.
 - B. Examples of collisions for which a crash reconstructionist will be assigned include, but are not limited to:
 - (1) Fatal collisions;
 - (2) Serious personal injury likely to result in death or permanent disability;
 - (3) Collisions occurring as a result of, or during a police action such as a pursuit; and,
 - (4) Collisions where special circumstances are present, such as potential liability to the City of Frederick, and the on-scene supervisor determines the services of a crash reconstructionist are required.
 - C. Upon determination that a crash reconstructionist is to be contacted to investigate an collision, officers on scene should immediately take all actions necessary to maintain the integrity of the crash scene to include but not limited to:
 - (1) Restricting access to the scene to unnecessary personnel,
 - (2) Assuring vehicles are not moved or altered. Ignition keys should be removed and placed on the dashboard.
 - (3) Assuring no items are removed from the involved vehicles, and debris is not disturbed.
 - (4) Any actions taken by EMS and Fire/Rescue personnel in order to care for or extricate victims or make the scene safe (i.e.-flattening vehicle tires, cutting away vehicle parts, hosing down or containing fluid spills, etc.) should be documented and immediately relayed to the crash reconstructionist upon their arrival.
5. Determine classification of crash and follow appropriate procedures for each:
- A. Fatality;
 - B. Incapacitating injury;
 - C. Non-incapacitating injury;
 - D. Non-injury; or,
 - E. Hit and run.
6. Explain procedures to all parties concerning reports, identifications of parties involved, possible subpoenas, insurance information, etc.
7. If crash victims are unable to take custody of their personal property at the scene, the investigating officer is responsible for ensuring that the items are properly protected. If

no authorized person can assume custody of such items, the investigating officer will follow the same procedures for a towed or impounded vehicle ([G.O. 290](#), Section .40)

.40 POSSIBLE HAZARDOUS MATERIALS INCIDENT:

Refer to [General Order 458, "Hazardous Materials Incidents."](#)

.50 DEALING WITH INJURIES:

1. Officers will identify the most seriously injured and administer first aid within their capabilities.
2. Officers will summon appropriate emergency medical assistance to the scene.
3. Officers will NOT transport an injured person in a police vehicle unless exigent circumstances exist.
4. Treatment of serious personal injury will take precedence over investigative or reporting activities.
5. Transport of persons who appear to be deceased to a medical facility will be made by medical personnel. Normally, if deceased, the body will be kept at the scene until removal is authorized by a medical examiner.

.60 CLEARING THE SCENE:

1. Consistent with the need to deal with injuries, hazardous conditions, and to preserve and collect evidence, officers will arrange for the prompt removal of vehicles and debris from the scene of a collision.
2. When vehicles are to be driven away from the scene (involved vehicles, emergency vehicles, tow vehicles, and others) officers will assist the drivers, as necessary, in entering the traffic flow.
3. Once the scene has been cleared of vehicles, officers will arrange for the prompt removal of debris, and flares and/or warning devices used to protect the scene.

.70 COLLISION FOLLOW-UP INVESTIGATION:

1. Follow-up investigation is generally in support of an on-going or anticipated criminal prosecution. Persons connected with the collision (drivers, occupants, witnesses) will be questioned as soon as practical after the collision.
 - A. The investigation will include collecting data from various sources; obtaining and recording formal statements from witnesses/occupants; receiving results of chemical analysis; examining photographs and evidence for any additional information; preparing formal charging documents, etc.
 - B. Normally the investigating officer will handle all follow-up investigative requirements; however, they may consult with any other personnel who may benefit the investigation.
 - C. Crash reconstructionists will review follow-up reports when requested and appropriate.
2. If the investigation reveals a need for remedial action pertaining to traffic engineering, speed enforcement, etc., the investigating officer, in consultation with his supervisor, will contact the appropriate personnel and/or agencies to have corrective action taken when

appropriate.

.80 COLLISIONS INVOLVING UNATTENDED VEHICLES OR PROPERTY:

It is the investigating officer's responsibility to properly notify the owner or custodian of the vehicle or property involved, in person or in writing, unless the property owner has already been located and notified by the striking vehicle driver or owner. Notification will include the date, time, location, incident report number, identification of the investigating officer and phone number, as well as instructions for receiving a copy of the information if warranted.

.83.COLLISIONS INVOLVING CITY PROPERTY:

Officers investigating crashes involving damage to City property i.e. light poles, signs, curbs, gutters, etc., must complete an ACRS report or hand written Information Exchange form / PD137 form as determined by an FPD supervisor. Currently the Etix system does not allow for an information exchange involving a vehicle versus other property, therefore this must be completed using the FPD form. Crashes involving damage to City of Frederick property that require an ACRS report will be photographed and photos will be attached to the ACRS/incident report. Pursuant to City of Frederick Risk Management guidelines, an ACRS must be completed in each collision where a City of Frederick vehicle is being driven by a City of Frederick employee.

.90 COLLISIONS OCCURRING ON PRIVATE PROPERTY:

Generally, the Maryland Transportation Article does not apply to private property except in special circumstances such as when the private property is used by the public in general or property that is owned or under the control of the State of Maryland and is open to vehicular traffic and used by the public in general, i.e. a shopping center parking lot, college campuses, etc. Personnel will investigate crashes occurring on private property which fall within the parameters of Section .10; however, charges will only be placed if the private property on which the collision occurred falls within the scope of Sections 21-101.1 and 21-901 of the Maryland Vehicle Law. (Note- Section 21-901 applies throughout the State, whether on or off a highway.)

.100 HIT AND RUN COLLISION INVESTIGATIONS:

A hit-and-run collision involves damage to property or other vehicles, or death or injury in which a driver leaves the scene of the collision without providing the proper information. This includes collisions both on public highways and private property.

In addition to all of the procedures stated above in this order, officers will:

1. Obtain and broadcast a description of the striking vehicle, its driver and occupants as soon as possible;
2. Concentrate on witnesses who can identify the driver and vehicle; and
3. Thoroughly check the scene for any physical evidence and handle per procedures.
 - A. Paint - samples from struck vehicle and chips from striking vehicle,
 - B. Parts or glass fragments or other trace evidence from the striking vehicle,
 - C. Blood, hair, tissue, or clothing samples of an involved pedestrian,
 - D. Detail of skid marks, tire prints, or relevant pattern impressions;

4. Conduct neighborhood canvass for additional witnesses and information;
5. If a suspect is developed, attempt contact at his/her address, as well as neighbors in the area. If outside the City, notification will be made to the police department with jurisdiction;
6. Run listings on all hit-and-run suspect vehicles. Attempt to contact owner of the vehicle by going to address (if in jurisdiction) or having another police agency check for the vehicle and/or suspects. Document all efforts and include same in the incident report; and,
7. Utilize SharePoint to notify personnel of any information which may be useful in solving the investigation.

.101 NOTIFICATION OF NEWS MEDIA:

If it appears that the collision is extensive and will require closure of major thoroughfares, the supervisor will authorize appropriate personnel to contact the news media by phone or fax, advising of the closure, congestion, and/or detours. A press release with detail of the collision will be completed and submitted by the crash reconstruction supervisor, if the reconstruction team is investigating the collision.