



The Aberdeen Police Department Policies & Procedures Manual Chapter Contents



Chapter 26 Motor Vehicle Accidents

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Section 01 Response, Investigation, and Reporting

Section 02 Department Vehicle Accidents



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Chapter 26 Motor Vehicle Accidents
Section 01 Response, Investigation, and Reporting

GO 15-035, 03/09/2015
Supersedes GO 14-100

A. Policy

1. It is the policy of the Department to respond to and investigate traffic accident types that may include but are not limited to:
 - a. Fatal accidents;
 - b. Personal injury accidents;
 - c. Impairment of a driver due to alcohol or drugs accidents;
 - d. Accidents involving damage to public vehicles or property:
 - 1) Government-owned property, regardless of the level of government; and
 - 2) Aberdeen Police Department vehicles;
 - e. Accidents involving any vehicle transporting hazardous materials;
 - f. Accidents that involve disturbances between principals:
 - 1) Stop any disturbance between drivers and/or occupants;
 - 2) Separate the parties;
 - a) Direct them remain with their respective vehicles or
 - b) Direct them each to separate, safe locations;
 - 3) If criminal activity is observed, the officer should take enforcement action;
 - g. Multi-vehicle accidents that result in major traffic congestion;
 - h. Accidents that damage vehicles to the extent towing is required;
 - i. Hit and run accidents:
 - 1) When a witness exists; or
 - 2) When a description or partial description of the striking vehicle is available; or
 - 3) When physical evidence exists as a basis for possibly identifying the striking vehicle; and
 - j. Any accident if requested to do so by the owner or operator of any vehicle involved, if the accident is reported in a timely fashion and if the circumstances of the accident are such that a reasonable investigation can be conducted.

B. Responding to the Scene

1. Arrival at the Scene, Officer in Charge
 - a. The first responder will act as officer in charge until a supervisor or Reconstructionist, if required, arrives to take over the scene. (61.2.2a) (61.2.2g)
2. Care for Injured (61.2.2b)
 - a. Identify injuries
 - b. Call for an ambulance or EMT personnel, appropriately
3. Identify any hazards (61.2.2c)
 - a. Observe and evaluate obvious conditions which may make exiting from the vehicle hazardous.



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- b. Identify any fallen wires, fire potential, hazardous locations, hazardous materials involvement, and highway pavement conditions.
 - c. Identify any potential dangers created by spilled flammable substances.
 - d. Call the Fire Department or appropriate service agency.
 - e. Request a Tow, if needed.
4. Safeguard the Accident Scene (61.2.2e)
- a. Set out flares or traffic cones, when appropriate, to warn approaching traffic.
 - b. Reroute traffic, appropriately.
 - c. Prevent congestion to permit emergency vehicles to move freely and safely.
5. Safeguard Property (61.2.2f)
- a. Secure property of the accident victims.
6. Traffic
- a. Control traffic until the hazardous condition is corrected. (61.3.2a)
 - b. Ensure that the free flow of traffic is restored before leaving the scene. (61.3.2a)
 - c. Refer to *Policy 25.02 Manual Direction and Control Instructions*
 - d. Officers may secure additional services as needed:
 - 1) Additional patrol units to assist in traffic control, care of the injured, etc.;
 - 2) Towing service;
 - 3) Public utilities companies;
 - 4) State Highway Administration or Department of Public Works personnel; and
 - 5) Medical Examiner.
7. Commercial Vehicle Accident
- a. In a collision involving a commercial motor vehicle whenever a request for a post collision inspection is anticipated, officers will
 - 1) Protect the vehicle to preserve the condition of its equipment and to prevent tampering.
 - 2) Seize and retain all relative documents such as the driver's log book, medical card, driver's license, shipping papers, registration documents, etc., until personnel with the required commercial motor vehicle expertise arrive.
8. Hit and Run Accidents
- a. Upon arrival at the accident scene, determine that it is a hit and run accident.
 - b. Relay available information so that other patrols may be alerted.
 - c. Search for physical evidence, question victim or witnesses, and coordinate the activity of assisting patrols.
 - d. If no witnesses, vehicle description, nor possible identifiers; or the hit and run was reported after the crash was first discovered, the PCO will



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- 1) Provide the complainant with an incident report number and
- 2) Record the reporting person's information in the CAD narrative.

9. Accident where investigation is conducted and ACRS is unnecessary:
 - a. Minor vehicle damage;
 - b. Vehicle is drivable; and/or
 - c. Accident occurred on private property.

C. Collecting Information (61.2.2d)

1. Officers will distribute, to all owners or drivers involved in the incident, the handwritten Form 20 - Property Damage Accident Report (Accident Exchange Form) or E-TIX Accident Information Exchange Form.
2. Officers will collect and relay information to the Communications Section such as:
 - a. Exact location of the accident
 - b. Severity of the accident
 - c. Number of vehicles involved and whether drivers are at the scene
 - d. Traffic conditions
3. Officers will record date, evidence, and testimony about an accident
 - a. Complete the Accident Information Exchange form in its entirety,
 - b. Take statements of those involved and any witnesses if accident is investigated,
 - c. Take photographs whenever it is deemed necessary, and
 - d. Make diagrams and taking measurements at the scene.
4. Drivers
 - a. Verify the driver's identity, ownership of the vehicle, and the identity of any witnesses.
 - b. Be alert for false reporting of information by persons involved.
 - c. Information based on observation of physical evidence, or statements made by other drivers or witnesses will verify or disprove some opinions.
5. Witnesses
 - a. Obtain witness information to include an address and phone number.
 - b. Information secured from a witness should be in writing to support the officer's information when enforcement action is contemplated.
 - c. Care should be used when considering witnesses' determinations of time, distance, speed, or location of impact.

D. Notifications (61.2.2a)

1. The patrol supervisor is responsible to insure prompt notification of the victim's next of kin, if it is a fatal accident.
2. Whenever practicable, notifications shall be made in person.



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3. If requested, a church pastor, rabbi, or other appropriate religious representative may be called on to make notifications.
4. Notification of Death of a Member of the Armed Forces
 - a. Notification shall be made to the closest military facility of the branch of service.

E. Reconstructionist Call Out

1. At the supervisor's discretion:
 - a. Any accident which results in serious or life-threatening injuries; and
 - b. Any accident which results in a fatality or has the possibility of being a fatal.
2. Notify Reconstructionist before any bodies are moved, and make sure no vehicle is moved after your arrival.
3. If seriously injured persons must be moved before the investigators arrival, mark the location of the injured.
4. Upon arriving on the scene the Reconstructionist will take over the on-scene supervision. (61.2.2a)
5. The Reconstructionist will conduct a comprehensive investigation including pre- and post-crash events. (61.2.1)

F. Investigations and Reports Required (61.2.1)

1. Death or Injury accidents
2. Property damage accidents, where vehicle is disabled
3. Hit and run accidents on public roadways
4. Accidents involving driver impairment due to alcohol or drugs
5. Accidents involving hazardous materials
6. Accidents on private property involving serious injury and/or death
7. Accidents involving government vehicles

G. Follow-up Activities (61.2.1)

1. Follow-up activities may include but are not limited to
 - a. Collecting off-scene data
 - b. Obtaining formal statements from witnesses
 - c. Reconstructing the accident
 - d. Preparing formal reports to support criminal charges

H. Reporting Procedure (83.2.6)

1. Officers will submit required ACRS, within 48 hours, to report all traffic accident investigations.
2. Officers will complete, in addition to the required ACRS report, a detailed crash investigation report within 120 days of a fatal crash.



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3. Officers will initiate a detailed crash investigation report for all accidents where there exists a fatality or a high probability of a fatality (serious PI).

I. The State's Attorney

1. The officer will discuss all aspects of the case thoroughly with the State's Attorney.

J. Court Testimony

1. The officer may be required to testify in both criminal and civil cases.
2. The officer will provide the pertinent facts to the court or jury.
3. The officer should have all the facts of the case well-organized to testify effectively.



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A. Definitions

1. In every accident case involving a Department vehicle, the definitions dealing with motor vehicle accidents as outlined in the National Safety Council Manual on Classification of Motor Vehicle Traffic Accidents will apply.

B. Scope

1. The procedures and reports specified in this Section will apply in the following cases, when:
 - a. The accident involves injury or death to either Department personnel or others, or
 - b. The accident involves any damage to property other than a Department vehicle, or physically involves another person or a non-department vehicle, or
 - c. The accident involves damage to a Department vehicle, except when the damage is exclusively confined to the windshield or other glass and is caused by an object falling from or set in motion by another vehicle.
2. The procedures and reports specified in Chapter 22, dealing with loss or damage to equipment will apply in all other cases.
3. The procedures dealing with loss or damage to equipment will also apply if:
 - a. The accident involves an animal being struck in the roadway when no other property is involved and no one is injured.
 - b. The accident involves a Department vehicle that is parked and there are no injuries involved.

C. Notification of Involvement

1. Accidents involving Department vehicles will be reported immediately by the most available means by the employee involved or by another responsible employee in those cases where the involved employee is not capable of making notification.
2. Accidents occurring outside of the Aberdeen City limits will be reported to the agency with primary jurisdiction where the accident took place.

D. Responsibilities Upon Notification

1. Initial Investigation
 - a. Accidents occurring in Aberdeen will be investigated or caused to be investigated by the senior patrol supervisor on-duty.
 - 1) The investigation will be conducted by a police employee senior in rank to the employee involved, except when the senior officer on-duty believes it to be impracticable.
 - 2) Only in the most unusual circumstances will a Department vehicle accident be investigated by a police employee below the rank of Corporal.
2. Command Staff Notification
 - a. The patrol supervisor will ensure that the Chief of Police, or designee, is immediately notified when an employee is involved in a departmental accident.



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E. Conduct of Investigations

1. The police employee assigned an initial or supplemental investigation of a Department accident, shall conduct a thorough and accurate investigation.
2. The investigator will be responsible for assuring completion of all required reports, the gathering and preservation of any physical evidence pertaining to the accident, and all other relevant information which may have a bearing on the case.

F. Required Reports

1. Motor Vehicle Accident Reports (MSP Form 1) - A Motor Vehicle Accident Report is required for all accidents falling within the scope of this Section.
 - a. The initial investigator of a Department accident will complete, in its entirety, a State of Maryland Motor Vehicle Accident Report (Form #1).
 - 1) As in other accident investigations, vehicles will be listed in a logical order. A Department vehicle need not be listed as Vehicle #1.
 - 2) If the accident involves a properly parked, unattended Department vehicle, with no evidence of negligence on the involved employee's part, the involved employee's name will not be listed on the accident report (MSP Form #1) as a driver.
 - 3) Insurance information for non-department vehicles will be listed on MSP Form #1 under the caption "Description."
 - a) If space is not available under this caption, then it will be added as an attachment.
 - b. The follow-up investigator of a Department vehicle accident occurring outside Aberdeen will obtain a copy of the Motor Vehicle Accident Report completed by the Department conducting the initial investigation.
 - 1) When possible, the involved employee should obtain the name of the investigating officer and the accident report number. This information will be given to the follow-up investigator.
 - c. Upon obtaining or completing accident report forms, a total of three copies, including the original in the case of an accident initially investigated by the Department, will be immediately forwarded to the records clerk for disposition.
 - d. Copies sufficient to satisfy administrative reporting needs and local accident files, when applicable, should be retained by the investigator.
2. Accident Diagrams
 - a. A supplemental detailed accident diagram will be required in those cases where a Department vehicle accident is initially investigated by the Department and the accident involves death, injury, or unusual circumstances.
 - b. This does not preclude the preparation of such a diagram in other instances when, in the opinion of the investigator, its preparation will be beneficial.



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3. Photographs
 - a. The requirements for accident photographs will be the same as provided above for supplemental accident diagrams.
4. Voluntary Statements (APD Form 13)
 - a. Whenever feasible, a Voluntary Statement (APD Form 13), will be utilized by investigators obtaining statements from the drivers of other vehicles involved in a Department vehicle accident and from any other witnesses.
 - b. Copies of these statements will be forwarded to the records clerk for filing with the initial accident report.
5. Involved Member's Report
 - a. An employee involved in a Department vehicle accident will be required to submit a written detailed report to his supervisor describing the incident.
6. Investigator's Report
 - a. The investigator of a Department vehicle accident will submit a written detailed report at the conclusion of his investigation.
 - b. Form
 - 1) The investigator's report, employee's detailed report, and supervisor's written recommendation will be forwarded to the Administrative Commander for review.
 - a) If the Administrative Commander concurs with the written recommendation, all reports will be forwarded to the Chief of Police.
 - 2) If investigator and supervisor are the same, the report and employee's detailed report will be submitted to the Commander.
 - a) The Commander will review the reports and make written recommendations to the Chief of Police.
 - c. Content
 - 1) The investigator's report should summarize those pertinent facts which will permit him to make conclusions as to the primary and any secondary causes of the accident.
 - 2) Unnecessary duplication of facts contained in attachments such as accident reports, diagrams, and statements should be avoided.
 - 3) The investigator's conclusions as to primary and any secondary causes and whether or not the accident was preventable or non-preventable will be included in all cases.

G. Distribution of Administrative Reports

1. All required reports and attachments as specified in this chapter will be submitted by the investigator to the appropriate supervisor.
2. If it is determined that disciplinary action will be instituted as a result of the involved employee's actions in connection with the accident, the original of all administrative reports



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and attachments will be treated as documents relating to such disciplinary action and will be processed as prescribed in Chapter 5 (Disciplinary Procedures).

3. In order to assist those involved in the accident review process, the following information will be included in or attached to the supervisor's endorsement:
 - a. full name and operator's license number of driver, or, in the event of an unattended vehicle, the person last responsible for the vehicle.
 - b. a Motor Vehicle Administration printout of the driving record of the operator or last person responsible for the vehicle.
 - c. an accurate listing of all preventable accidents, by date, and dispositions of the operator or last person responsible for the vehicle.
 - d. the number of years driving experience in type vehicle involved (regular police vehicle, motorcycle, etc.)
4. If the accident involves a properly parked, unattended Department vehicle with no evidence of negligence on the involved employee's part, the report will be forwarded to the accident investigation reviewer for approval through their supervisor.
5. If the accident investigation resulted in motor vehicle charges being placed against a third party, the employee's supervisor will be responsible for monitoring the case.
 - a. If the judge orders restitution to be made to the Aberdeen Police Department, the supervisor will be responsible for obtaining a certified copy of the court docket and forwarding it to the Chief of Police.
 - b. No other reports need accompany the court docket.

H. Determination of Preventability

1. Responsibility
 - a. In order to prevent accidents involving Department vehicles and to form a basis for any disciplinary action, it will be the responsibility of the involved employee's supervisor to make appropriate recommendations as to accident preventability.
2. Guidelines
 - a. A preventable accident is any accident in which the driver failed to do everything he might have done to avoid it. The following preventable accidents:
 - 1) It is the responsibility of Department vehicle drivers to approach, enter and cross intersections prepared to avoid accidents that might occur through the action of other drivers.
 - 2) Complex traffic movement, blind intersections, or failure of the 'other driver' to conform to laws or traffic control devices will not automatically discharge an accident as 'not preventable'.
 - 3) Intersection accidents are preventable even though the driver had not violated traffic regulations.
 - 4) His failure to take precautionary measures prior to entering the intersection is a factor to be studied in making a decision.
 - b. Intersections
 - 1) It is the responsibility of Department vehicle drivers to approach, enter and cross intersections prepared to avoid accidents that might occur through the action of other drivers.
 - 2) Complex traffic movement, blind intersections, or failure of the 'other driver' to conform to laws or traffic control devices will not automatically discharge an accident as 'not preventable'.
 - 3) Intersection accidents are preventable even though the driver had not violated traffic regulations.
 - 4) His failure to take precautionary measures prior to entering the intersection is a factor to be studied in making a decision.



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- 5) When a driver crosses an intersection and the obvious actions of the 'other driver' indicates possible involvement either by reason of his excess speed, crossing his lane and turning, or coming from behind a blind spot, the decision based on such entrapment should be preventable.
- c. Vehicle Ahead
- 1) Regardless of the abrupt or unexpected stop of the vehicle ahead, your driver can prevent front-end collisions by maintaining a safe following distance at all times.
 - 2) A safe following distance is one that allows the driver sufficient time, distance, and vision requirements to avoid an accident to reduce traffic conflict.
 - 3) This includes being prepared for possible obstructions on the highway, either in plain view or hidden by the crest of a hill or the curve of a roadway.
 - 4) Over driving headlights at night is a common cause of front-end collisions.
 - 5) Night speed should not be greater than that which will permit the vehicle to come to a stop within the forward distance illuminated by the vehicle's headlights.
- d. Vehicle Behind
- 1) Investigation often discloses that drivers risk being struck from behind by failing to maintain a margin of safety in his own following distance.
 - 2) Rear-end collisions preceded by a roll-back, an abrupt stop at a grade crossing, when a traffic signal changes, or when your driver fails to signal at a turn at an intersection, should be charged preventable.
 - 3) Failure to signal intentions or to slow down gradually should be considered preventable.
- e. Passing
- 1) Failure to pass safely indicates faulty judgment and the possible failure to consider one or more of the important factors a driver must observe before attempting the maneuver.
 - 2) Unusual actions of the driver being passed or of oncoming traffic might appear to exonerate a driver involved in a passing accident; however, the entire passing maneuver is voluntary and the driver's responsibility.
- f. Being Passed
- 1) Sideswipes and cut-offs involving a driver while he is being passed are preventable when he fails to yield to the passing vehicle by slowing down, moving to the right where possible, or maintaining speed, whichever action is appropriate.
- g. Oncoming
- 1) It is extremely important to check the action of the driver when involved in a head-on or side-swipe accident with a vehicle approaching from the opposite direction.
 - 2) The exact location of a vehicle, prior to and at the point of impact, must be carefully verified.



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- 3) Even though an opposing vehicle enters your driver's traffic lane, it may be possible for your driver to avoid the collision.
 - 4) For example, if the opposing vehicle was in a passing maneuver and your driver failed to slow down, stop, or move to the right to allow the vehicle to re-enter his own lane, he has failed to take action to prevent the occurrence.
 - 5) Failing to signal the opposing driver in an appropriate manner should also be taken into account.
- h. Fixed Objects
- 1) Collisions with fixed objects are preventable.
 - 2) They usually involve failure to check or properly judge clearances.
 - 3) New routes, strange delivery points, resurfaced pavements under viaducts, inclined entrances to docks, marquees projecting over traveled section of road, and similar situations are not, in themselves, valid reasons for excusing a driver from being involved.
 - 4) A driver must be constantly on the lookout for such conditions and make the necessary allowances relative to speed and vehicle positioning.
- i. Pedestrians
- 1) Traffic regulations and court decisions generally favor the pedestrian hit by a moving vehicle.
 - 2) An unusual route of a pedestrian at mid-block or from between parked vehicles does not necessarily relieve a driver from taking precautions to prevent such accidents.
 - 3) Whether speed limits are posted or the area is placarded with warning signs, speed too fast for conditions may be involved.
 - 4) School zones, shopping areas, residential streets, and other areas with special pedestrian traffic must be traveled at reduced speeds equal to the particular situation.
 - 5) Bicycles, motor scooters, and similar equipment are generally operated by young and inexperienced operators.
 - 6) The driver who fails to reduce his speed when this type of equipment is operated within his sight-distance has failed to take the necessary precautions to prevent an accident.
 - 7) Keeping within posted speed limits is not taking the proper precaution when unusual conditions call for voluntary reduction of speed.
- j. Private Property
- 1) When a driver is expected to enter unusual locations, construction sites, etc., or driveways not built to support heavy commercial vehicles, it is the driver's responsibility to discuss the operation with the proper authorities and to obtain permission prior to entering the area.



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k. Passenger Accidents

- 1) Passenger accidents in any type of vehicle are preventable when they are caused by faulty operation of the vehicle.
- 2) Even though the incident did not involve a collision of the vehicle, it must be considered preventable when your driver stops, turns, or accelerates abruptly.
- 3) Emergency action by a driver to avoid a collision that results in passenger injury should be checked if proper driving prior to the emergency would have eliminated the need for the evasive maneuver.
- 4) The driver is responsible for the utilization of passenger restraint devices.

l. Non-Collision

- 1) Many accidents, such as overturning or running off the road, may result from emergency action by the driver to preclude being involved in a collision.
- 2) Examination of his driving procedure prior to the incident may reveal speed too fast for conditions, or other factors.
- 3) The driver's action prior to involvement should be examined for possible errors or lack of defensive driving practice.

m. Backing

- 1) Many Department accidents result from backing patrol vehicles into unobserved obstacles; therefore, operators will in every instance possible, park their vehicle by backing them into a parking area.
- 2) In those instances when it is necessary to back from the space, the operator will, before moving, visually inspect the area to the rear of the vehicle to eliminate the possibility of striking unseen cars, poles, or other fixed objects.
- 3) When guides are controlling vehicle movements, the operator is not relieved of his responsibility to safely operate his vehicle.
- 4) It is incumbent on him to be certain the path of the backing vehicle is free from obstacles.

n. Conclusion

- 1) It is impossible to describe in detail the many ways a driver might prevent an accident without being primarily or legally responsible.
- 2) The above guide merely emphasizes the most frequent occurrences.
- 3) The following definition of Defensive Driving should be applied to all accidents involving drivers of Department vehicles:
 - a) A DEFENSIVE DRIVER is one who commits no driving errors himself/herself and makes all possible allowances for the lack of skill or improper driving practice of the other fellow.
 - b) A DEFENSIVE DRIVER adjusts his own driving to compensate for unusual weather, road, and traffic conditions, and is not tricked into an accident by the unsafe actions of pedestrians and other drivers.



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- i. By being alert to accident inducing situations he/she recognizes the need for preventive action in advance and takes the necessary precaution to prevent the accident.
- ii. As a DEFENSIVE DRIVER, he knows when it is necessary to slow down, stop, or yield the right-of-way to avoid involvement.

I. Disposition and Repair of Department Vehicles

1. Disposition of Inoperative Vehicle
 - a. When a Department vehicle is rendered inoperative as a result of an accident, the senior patrol supervisor on-duty in the area of occurrence will be responsible for ensuring that the tow contract service transports the vehicle to the Public Works garage, unless other arrangements are made by the Administrative Captain.
2. Vehicle Equipment
 - a. The involved employee has primary responsibility for the security of Department equipment carried in the vehicle.
 - b. When the involved employee is unable to make proper disposition of such equipment, the investigating officer will be responsible for the proper disposition of such equipment.
3. Repairs
 - a. The Administrative Captain will be responsible for all arrangements involved in the repair of Department vehicles, consistent with established City policies and procedures.