

Motor Vehicle Collisions

Index Code: 1906

Effective Date: 10/01/02 (Revised 03/10/16)

I. Purpose

The purpose of this directive is to provide deputies with guidelines for responding to, and investigating, motor vehicle collisions.

II. Policy

It is the policy of the Office of the Sheriff that a uniformed deputy will respond to all known or reported motor vehicle collisions. The closest available deputy will be dispatched, regardless of assignment. Responsibility for conducting the investigation will be assigned after the scene has been stabilized.

III. Investigative Responsibility

A. Traffic Accident Specialist

1. A Traffic Accident Specialist, when available, will assist with the investigation of motor vehicle collisions resulting in a fatality, or injuries to any party that can reasonably be presumed incompatible with life. The Traffic Accident Specialist will decide whether to assist with the investigation after considering the information relayed from the scene. In cases where a Traffic Accident Specialist does not respond, or is not available, the responsibility for the investigation rests with the deputy at the scene.

2. A Traffic Accident Specialist, when available, will assist with the investigation of departmental accidents resulting in a fatality, serious personal injury, or excessive property damage,

B. Field Operations Division

1. In cases of motor vehicle collisions not meeting the criteria set forth above, the deputy assigned to the patrol sector where the collision occurred is responsible for the investigation and report, and is in charge of the accident scene, unless relieved by a supervisor or a Traffic Accident Specialist.

2. If the deputy responsible for the patrol sector where the collision occurred is not available, the nearest and/or next available deputy will be dispatched to assume the

responsibility. Supervisors have the authority to assign responsibility, as well as assume responsibility for the investigation themselves.

IV. Initial Response

A. Motor vehicle collisions meeting any of the following conditions will receive priority:

1. Death or serious injury
2. Hit and run
3. Impairment of the operator due to alcohol or drugs
4. Damage to public vehicles or property
5. Hazardous materials
6. Disturbances between principles
7. Major traffic congestion
8. Vehicle(s) requiring towing

However, it is emphasized that deputies will respond to all motor vehicle collisions that are known or reported.

B. Supervisors may authorize alternative responses to minor property damage collisions during periods of intensely inclement weather, personnel shortages, or high volumes of calls for service. However, deputies will eventually respond to any motor vehicle collision upon the request of a driver or vehicle owner.

V. First Deputy On The Scene

A. All Collisions

The first deputy on the scene of a motor vehicle collision is responsible for the following:

1. Secure and protect the scene
2. Administer emergency medical care
3. Summons additional assistance
4. Preserve short lived evidence
5. Establish an alternative traffic pattern
6. Locate witnesses
7. Record pertinent information
8. Help expedite the removal of persons, vehicles, and debris

Flares, traffic cones, and emergency vehicles will be used as necessary to help protect the

scene and detour traffic. Every effort will be made to restore the free flow of traffic expeditiously, especially in cases of minor property damage only. See Index Code 1907 for Procedures for Traffic Control.

B. Collisions Involving Injuries, Fire, or Hazardous Materials

If the collision involves injuries, fire, or hazardous materials, the deputy will:

1. Notify the Emergency Operations Center of:
 - a. Exact location of the collision,
 - b. Extent, nature, and number of injuries,
 - c. Type and number of vehicles involved,
 - d. Type, number, and characteristics of the hazardous materials if any,
 - e. Special equipment or personnel requirements,
 - f. Unsafe or impassable roads.
2. Initiate emergency medical care
3. Evacuate nonessential personnel
4. Restrict access to hazardous materials by establishing safety lines of at least 1500 feet

VI. Investigation and Reporting

A. Public Property and Private Property Open to the Public

Deputies will investigate and prepare written reports for motor vehicle collisions occurring on public thoroughfares and private property open to the public when any of the following conditions exist:

1. Death or injury is expected, imminent, or know to exist
2. Hit and run
3. An involved driver is believed to be DUI/DWI, or impaired by drugs
4. Damage to government vehicles or property
5. Hazardous materials spill
6. Any vehicle is damaged to the extent that requires towing
7. Anytime an owner, driver, or passenger who is a party to or involved in the accident requests that an investigation/report be completed

8. Any collision where the investigating deputy charges any party with a violation

B. Hit and Run Collisions

Hit and run collisions will be investigated and reported as follows:

1. All collisions resulting in a fatality or personal injury
2. Collisions where sufficient evidence exists to conduct an investigation

If an investigation is not warranted, the deputy will notify the complainant of such and advise him/her that Maryland motor vehicle law only requires a report in cases involving death and bodily injury. If the complainant still wishes to file a report with the Motor Vehicle Administration, then the deputy will direct him/her to the MVA with instructions to obtain and submit a Maryland Motor Vehicle Accident Report (FR 30).

C. Private Property

Collisions that occur on privately owned property not open to the public, which results in property damage only, will not be investigated or documented on an ACRS form. However, if death or personal injury has occurred the incident will be investigated in the same manner as a "suspicious death" or "injured subject." If probable cause exists to believe a crime other than a traffic violation caused the death or injury of any party, the investigator will conduct a criminal investigation and contact the Criminal Investigation Unit if applicable.

VII. Reporting Methods

A. Motor vehicle collisions requiring an investigation and written report will be documented on the Maryland State ACRS report form, with supplemental reports as necessary.

B. Deputies dispatched to collisions involving minor property damage, which do not require an investigation or written report, will ensure the exchange of information on the Motor Vehicle Accident Information Exchange Form.

C. In all collisions, including those where information is exchanged with no report, the investigating deputy will verify that the operators involved have valid driver's licenses, and that the involved vehicles are properly registered. The investigating deputy will also check all

involved parties for outstanding warrants and other court papers.

VIII. Evidence Collection

The following procedures will be followed for all motor vehicle collisions requiring a written report.

- A. Interview all principles and witnesses, and record information required in the ACRS form.
- B. Examine and record sustained vehicle and property damage.
- C. Examine and record the effects of the collision on the roadway.
- D. Take measurements of the scene and all evidence relating to the collision in cases involving death, serious injury, extensive property damage, or agency vehicles.
- E. Take photographs of the scene and all evidence relating to the collision in cases involving death, serious injury, extensive property damage, or agency vehicles.
- F. Collect and preserve evidence pertinent to the investigation.
- G. List all occupants of the vehicles involved and document any injuries.
- H. Ensure the exchange of information among the principles involved.
- I. Attempt to verify that all operators involved have valid driver's licenses, and that the involved vehicles are properly registered and insured.

IX. Follow-Up Procedures

The investigator is responsible for preparing as complete an investigative report as possible, with considerations given to the severity of the collision. Collisions resulting in death, serious injury, or extensive property damage require the following follow-up procedures:

- A. Obtaining written or recorded statements from drivers and witnesses.
- B. Preparing and submitting formal reports to the State's Attorney's Office to support additional charges.

C. Obtaining collision reconstruction and/or vehicle mechanical inspection services if necessary.

D. Collecting off-scene data and/or evidence pertinent to the investigation.

X. Safeguard of Personal Property

The deputy in charge of the investigation will ensure that all vehicles towed from the scene are inventoried before being removed. Valuables or items of personal property requiring added protection, such as money, jewelry, precious metals or weapons, will be taken into custody and stored until the owner is able to reclaim them.

XI. Enforcement Action

A. Fatalities

1. It is the responsibility of the State's Attorney's Office to review collisions involving fatalities and place or authorize the placement of criminal and/or traffic charges against involved drivers. Therefore, except in cases of driving under the influence of alcohol, or driving while impaired by alcohol and/or drugs, deputies will not file charges in these cases.

2. In cases where collisions involve DUI/DWI, and a fatality has occurred or is expected to occur, deputies will place the alcohol-related charges only, in order to arrest the violator and conduct the chemical test within the required time frame. The investigating deputy will notify the State's Attorney's Office to Nol Pros the charges and review the incident.

3. If an injured person dies after traffic citations are issued, the investigating deputy will notify the State's Attorney's Office to Nol Pros the charges and review the incident.


B. Nonfatal Collisions

In nonfatal collisions, whenever an investigating deputy discovers or detects a traffic law violation and all the elements of a particular violation are discernible, enforcement action will be taken. Enforcement discretion is discouraged when it is evident that a deliberate or flagrant violation of the traffic law caused or contributed to the accident.

XII. CALEA References: 61.1.2a, 61.1.2b, 61.1.5a, 61.1.5k & 61.3.2a.

XIII: Proponent Unit: Field Operations
Division.

XIV. Cancellation: This directive cancels
Index Code 1906 dated 01/01/10


Sheriff R. Gery Hofmann III