

# Asheville Police Department Policy Manual

**Chapter:** 13 - Traffic

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**Previously:** 2320 - Crash Investigations, SOP 3109 - TSU Call Outs

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## Associated Directives

- [Policy 1300 – Traffic Enforcement](#)
- [Policy 1302 – Auxiliary Traffic Services](#)
- [SOP 3101 – Hazardous Materials Response](#)

## Introduction

The purpose of this directive is to outline when a traffic crash is to be investigated by officers of the Asheville Police Department, when a specific traffic crash report form must be filed, and other factors related to traffic crash investigations.

## Policy Statement

It is the policy of the Asheville Police Department (APD) to conduct investigations on traffic crashes that meet specific criteria and occur within the city limits of Asheville.

## Definitions

DMV Crash Report Form (DMV-349): the official form (paper or electronic) used by law enforcement officers to report motor vehicle crashes in North Carolina.

## **Rules and Procedures**

### **1301.1 Response to Traffic Crashes**

- A. Officers will respond to all traffic crashes brought to their attention that occur within the city limits of Asheville, including private property and parking lots, which involve:
  - 1. Death or injury.
  - 2. Hit and run.
  - 3. Suspected impairment of an operator due to alcohol or drugs.
  - 4. Damage to public vehicles or property.
  - 5. Hazardous materials were released during the crash.
  - 6. Disturbances between the involved parties.
  - 7. Major traffic congestion as a result of the collision.
  - 8. Damage to the vehicles to the extent that towing is required.
- B. Officers will respond to any crash that a field supervisor deems requires a response, based on the information provided, or when the complainant requests an officer's response.
- C. The watch commander may suspend the requirement that officers respond to the scene of non-reportable traffic collisions during weather emergencies (e.g., snow, ice).
  - 1. This decision should be based on officer availability and travel safety considerations.
  - 2. Communications will advise complainants during these periods to exchange information and contact the department to report any incidents after the weather conditions have concluded.

### **1301.2 Traffic Crash Reports**

- A. DMV-349s and any required supplements mandated by the North Carolina Division of Motor Vehicles (NCDMV) must be completed in accordance with the most current DMV-349 Instructional Manual. [82.2.1 d]

- B. Officers must complete a North Carolina DMV-349 on all traffic collisions occurring on any street or highway within the city limits that involve the following:  
[61.2.1] [82.2.1 a]
  - 1. Death or injury.
  - 2. Damage totaling \$1,000 or more.
  - 3. Hit and run (involving injury or death, or where investigative leads are present)
  - 4. Driving while impaired.
  - 5. Any of the involved operators has a revoked driver's license.
  - 6. A hazardous materials spill.
  - 7. A city-owned vehicle.
- C. Officers must complete an exchange slip and provide copies to all involved parties in motor vehicle collisions.
- D. Absent exigent circumstances, crash reports should be submitted by the end of the shift in which they were created. [82.2.1 d]
- E. Supervisors are responsible for promptly reviewing and approving crash reports completed by officers before final submission in the Records Management System.

### **1301.3 Collision Scene Response**

- A. Officers who encounter or are advised of an unreported traffic crash will notify Communications of the crash location, any possible injuries, and any other pertinent circumstances so that appropriate assistance can be dispatched.  
[61.2.2 g]
- B. To the extent information is available, officers dispatched to a traffic crash will be informed of the location, the severity of the crash, including any possible injuries, and whether there is a road blockage.
- C. The primary unit assigned by communications will be the unit in charge of the collision scene; however, the primary unit may be changed at the discretion of a sworn supervisor. [61.2.2 a]
- D. Officers approaching traffic crash scenes should be alert not to obliterate or destroy evidence, such as tire marks and blood. Officers should be alert to

specific conditions or factors that may have contributed to the crash (e.g., visibility/view obstruction, inoperative traffic control devices, hazards). [61.2.2 g]

#### **1301.4 Collision Scene Duties**

- A. Upon determining the nature of injuries, officers will summon emergency medical assistance unless the injuries are minor and the injured person refuses treatment. [41.2.4]
- B. Officers should administer appropriate first aid within their training to injured persons until relieved by qualified medical personnel. [61.2.2 b]
- C. [If injuries are determined to be life-threatening or result in a fatality, the responding officer will notify an on-duty supervisor. It is the on-scene supervisor's responsibility to determine whether to request the Traffic Safety Unit to respond.](#)
- D. Officers should be alert to potential fire hazards and/or hazardous materials at crash scenes (e.g., spilled gasoline or other flammable substances) and request appropriate assistance. If the incident involves hazardous materials, procedures in [SOP 3101 – Hazardous Materials Response](#) will be followed. [61.2.2 c]
- E. Officers will conduct crash scene traffic direction and control activities, as necessary, to protect the scene, clear the roadway, promote the safe and efficient movement of traffic in the vicinity, and prevent additional collisions. See [Policy 1302 - Auxiliary Traffic Services](#). [61.2.2 e]
- F. If the victim of a collision cannot secure their personal property at the scene of the collision, the officer conducting the investigation should take charge of the property. The property should be protected from theft or damage by being secured inside the vehicle before towing or submitted to Property & Evidence for safekeeping. [61.2.2 f]

#### **1301.5 Traffic Investigations**

- A. Officers will conduct the following minimum investigation steps on any collision that requires an NC DMV-349 form: [61.2.2 d]
  - 1. Interview all principals and witnesses to the collision.
  - 2. Examine and record any and all damage from the collision to the vehicles involved.
  - 3. Examine and record any and all effects of the collision on the roadway.

B. Any collision involving death or serious injury will require a full investigation, which may include the utilization of personnel with additional specialized training. These personnel should be requested to respond to the scene to assist in the investigation:

1. A patrol supervisor to manage the scene and resource allocation,
2. A traffic collision investigator with advanced traffic collision training,
3. A Drug Recognition Expert (DRE) to assess the drivers of the vehicles and potentially conduct a post-arrest DRE evaluation if needed. If no DRE is available, an officer with advanced DWI investigations training (standard field sobriety testing instructor, ARIDE, INTOX, SFST, etc.) should be requested to assist.
4. Forensic personnel, either patrol forensics or Forensic Services personnel, if warranted.

C. Any collision involving death or serious injury will require a full investigation, which may include the collection of the following types of documentation and information: [61.2.1] [83.2.6]

1. Field sketches showing the locations and measurements of relevant objects, evidence, landscape features, or other elements necessary to accurately depict the collision scene.
2. Photographs of the scene and all evidence.
3. Creation of a crime scene log.
4. Collection and preservation of evidence.
5. Collection of witness statements and contact information
6. Collection of blood evidence in fatal collisions through the use of a search warrant if unable to gain consent.
7. Collection of signed medical release forms when feasible.
8. Documentation of any other information related to the crash that may be necessary to ensure the completeness of the investigation.

- D. The development of follow-up information on serious or fatal traffic crashes is undertaken to support potential criminal prosecution. When warranted, follow-up investigations may include: [61.2.1]
1. Collecting additional “off-scene” data.
  2. Obtain and record formal statements from witnesses.
  3. Crash and crash scene reconstructions.
  4. Prepare a formal report that includes all the documentation gathered as part of the investigation for use in prosecuting any charges arising from the traffic crash.
- E. Officers conducting investigations into hit-and-run collisions involving property damage only should complete a report in the following instances:
1. When the victim vehicle remains on scene, and/or
  2. The victim responds to the scene immediately after reporting the collision to law enforcement, and/or
  3. Investigative leads (e.g., surveillance footage, debris fields) are available that would allow the officer to accurately document the incident.

### 1301.6 Delayed Reporting

- A. Occasionally, citizens involved in a collision may request a report days or weeks after the incident occurred. Officers should complete a report in the following instances:
1. For property damage only:
    - a. If the collision has been reported within 48 hours, **and**
    - b. **All** parties involved are present and respond to the scene of the collision.
  2. Delayed reports of collisions involving serious injury and/or death should be routed to the Traffic Safety Unit Supervisor (or their designee) for investigation and review.

**1301.7 Enforcement Actions [6.11]**

- A. Officers will determine the appropriate enforcement action, if any, whenever a traffic crash investigation produces probable cause to believe that a law or ordinance has been violated. [61.1.5 h]
- B. In taking any enforcement action, the officer should consider factors such as injury, drug or alcohol abuse, and the severity of the violation.
- C. The officer's specific enforcement actions arising from a traffic crash investigation or reporting must be consistent with the nature of the alleged violation and this department's directives concerning traffic law enforcement, as outlined in [Policy 1300 – Traffic Enforcement](#).

By order of:

A handwritten signature in black ink that reads "Jackie Stepp". The signature is written in a cursive, flowing style.

Jackie Stepp  
Interim Chief of Police