



MARYLAND CAPITOL POLICE

ADMINISTRATIVE DIRECTIVE



Damage to MCP Vehicles

Distribution:	All Employees	Index:	ADM 07.03
Responsible Unit:	Headquarters	Rescinds:	7-103
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.1 Purpose

To provide guidance on the proper procedures to follow when reporting departmental accidents and damage to MCP vehicles.

.2 Policy

All damage to or accidents involving MCP vehicles will be reported and investigated.

.3 Definitions

ACRS REPORT: A report documenting a motor vehicle accident completed in the Maryland Automated Crash Reporting System.

DEPARTMENTAL ACCIDENT: Any incident where an MCP vehicle collides with another vehicle, a stationary object, a pedestrian, or an animal.

NON-COLLISION DAMAGE: Physical damage to MCP vehicles not caused by a motor vehicle accident; does not include the need for replacement or repair of such equipment as a result of normal wear or malfunction.

.4 Authority

[STATE OF MARYLAND POLICIES & PROCEDURES FOR FLEET MANAGEMENT, 2010.](#)

.5 Procedures

A. Reporting Damage to MCP Vehicles

1. An Incident Report will be completed for all departmental accidents and damage to MCP vehicles.
2. An ACRS Report will be completed whenever an MCP vehicle is involved in a departmental accident.
3. A **Form 195 - Agency Vehicle Damage Report** will be completed by:
 - a. The involved employee for any departmental accident requiring an ACRS;
 - b. The assigned investigator for any departmental accident where the involved employee is incapacitated.
 - c. The first employee becoming aware of:
 - (1) non-collision damage to an MCP vehicle;
 - (2) damage to an MCP vehicle which was unattended and struck by an unidentified vehicle.
4. A Form 195 is not required for the following non-collision damage:
 - a. Damage confined to the windshield or other glass caused by an object falling from or set in motion by an unidentified vehicle; or
 - b. Punctures or cuts in tires caused by driving over unseen objects in the roadway such as nails.

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5. Employees involved in Departmental accidents will enter the incident into [BlueTeam](#).

B. Required Notifications

1. Damage to MCP vehicles will be reported immediately by the employee involved or by another employee should the employee involved be incapacitated.
2. The supervisor receiving an initial departmental accident notification will ensure that the involved employee's commander is immediately notified.
3. If a departmental accident involves death or serious injury, immediate notification will be made to the Operations Commander.

C. Commander's Responsibilities:

1. Respond to the scene if the crash involves death, serious bodily injury or significant property damage;
2. Notify the MCP Fleet Coordinator and coordinate disposition of the vehicle if inoperable;
3. Assign a supervisor to complete administrative investigation;
4. Assign an investigator to supplement allied resources for all crashes occurring outside MCP jurisdiction; and
5. Ensure that a copy of the initial Form 195 is forwarded to the Fleet Coordinator within 24 hours.

D. ACRS Investigations

1. Departmental accidents occurring within MCP jurisdiction will be investigated by a police officer from the MCP Division in the area of occurrence.
 - a. The investigation should be handled by a supervisor.
 - b. If a supervisor is unavailable, the commander will make a determination as to the most appropriate officer to handle the investigation.
2. Whenever feasible, a statement will be obtained from the drivers of other vehicles involved in a departmental accident and other witnesses.
3. Departmental accidents occurring outside of MCP jurisdiction will be investigated by a police department having jurisdiction in the area of occurrence; upon notification, the responsible Division will ensure the appropriate department has been notified and an investigation requested.
4. A copy of ACRS report completed by allied police agency for departmental accident occurring outside MCP jurisdiction will be obtained by the assigned investigator.

E. Administrative Investigation - Form 195

1. The assigned investigator or supervisor will ensure that photographs are taken in every case of damage to MCP vehicles and departmental accidents.
 2. The investigator's report will contain the following:
 - a. a brief summary of pertinent facts;
 - b. if a departmental accident, the investigator's conclusions as to primary and any secondary causes; and
 - c. a determination of preventability or negligence on the part of the involved employee.
 3. Upon completion of the supervisor's investigation, the original Form 195 will be submitted to the employee's commander along with:
 - a. if applicable, a copy of the ACRS Report;
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- b. a copy of the Incident Report; and
- c. a copy of all photographs taken.

F. Administrative Review and Distribution of Reports

1. The employee's commander will complete an endorsement to the Form 195 which will include:
 - a. a recommendation regarding disciplinary action if negligence is determined;
 - b. If a departmental accident:
 - (1) The name and operator's license number of the involved employee;
 - (2) The Motor Vehicle Administration printout of the employee's driving record;
 - (3) A listing of all preventable crashes by date, with dispositions;
 - (4) The number of years driving experience in the type of vehicle involved; and
2. Upon completion, the Form 195 and endorsement will be forwarded the Operations Commander for review.
3. If it is determined that disciplinary action will be initiated as a result of the involved employee's actions, the original Form 195 will be retained and processed as prescribed in [PER 05.03](#) and [PER 05.08](#).
4. A copy of the Form 195 will be forwarded to the MCP Fleet Coordinator.

G. Restitution to the MCP

1. If an ACRS investigation resulted in motor vehicle charges being placed against a third party, the involved employee's commander will monitor the case.
2. If the judge orders restitution to be made to the MCP, the involved employee's commander will obtain a certified copy of the court docket and forwarded it to the Fleet Coordinator.
3. A Form 17 will be attached to the court docket referencing the matter to the previously- submitted report.

H. Accident Review Board

1. In compliance with the [STATE OF MARYLAND POLICIES & PROCEDURES FOR FLEET MANAGEMENT](#), DGS has established an Accident Review Board which will review agency vehicle accidents to determine:
 - a. Driver history/performance;
 - b. Accident cause(s)/conditions;
 - c. Accident preventability; and
 - d. Necessary driver corrective action.
2. The Board shall provide a summary of findings and recommendations to the Chief of Police or designee. If the accident is found preventable, the Board shall recommend driver corrective action
3. In addition to any disciplinary action initiated by the agency, the DGS Accident Review Board may recommend any of the following corrective actions for an employee, if an accident is found to be preventable:
 - a. Verbal counseling.

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- b. Require attendance at a driver improvement program/written reprimand.
- c. Temporary denial of driving privileges in a State vehicle.
- d. Permanent denial of driving privileges in a State vehicle.
- e. Suspension of one or more days in compliance with MD Personnel Rules.
- f. Requirement to reimburse State for damages to State property.

Approved:



Colonel Michael S. Wilson
Chief of Police 03/28/23