

1. **DEFINITIONS**

A. Motor Vehicle Traffic Crash*	A reportable motor vehicle traffic crash occurs when: <ul style="list-style-type: none"> The incident includes one or more occurrences of injury, death, or damage in excess of \$2,000 (Arizona Revised Statute (ARS) 28-667.A), which was not a direct result of a natural disaster. The incident involves one or more motor vehicles, and at least one vehicle was in transport. The incident was an unstabilized situation originating on a trafficway or the injury or damage occurred on a trafficway.
B. Private Property Accident	Motor vehicle accidents where the unstabilized situation, leading to damage, injury, or death, does not originate nor occur on a trafficway. Private property accidents include collisions occurring in parking lots, driveways outside the trafficway, on private property, farmland, or in the desert.
C. Serious Physical Injury ARS 13-105.39	Includes physical injury which creates a reasonable risk of death or which causes serious and permanent disfigurement, serious impairment of health, or loss or protracted impairment of the function of any bodily organ or limb.
D. Motor Vehicle ARS 28-101.33	A self-propelled device in, on, or by which a person or property is or may be transported or drawn on a public highway excluding devices moved by human power or used exclusively on stationary rails or tracks. <ul style="list-style-type: none"> Does not include a motorized wheelchair, an electric personal assistive mobility device, or a motorized skateboard.
E. In Transport*	When applied to motor vehicles it includes: <ul style="list-style-type: none"> Motor vehicle in motion or on a roadway Motor vehicle in traffic on a highway Driverless motor vehicle in motion Motionless motor vehicle abandoned or disabled on a roadway In roadway lanes used for travel during rush hours and parking during off peak periods, a parked motor vehicle is in transport during periods when parking is forbidden.
F. Trafficway*	The entire width between boundary lines of every way if a part of the way is open to the use of the public for purposes of vehicular travel (defined as a street or highway in ARS 28-101.52). <ul style="list-style-type: none"> This includes alleys and non-dedicated streets. This does not include private driveways, parking stalls, aisles of parking lots, or roads on airfields, farms, industrial premises, and private grounds.
G. Roadway ARS 28-601.22	The portion of a highway that is improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. If a highway includes two or more separate roadways, roadway refers to any such roadway separately but not to all such roadways collectively.
H. City Vehicle	Any vehicle owned or leased by the City including; buses, Dial-a-Ride vans, and utility vehicles.
I. Arizona Crash Report (ACR)	The Arizona Crash Report (ACR) Form 01-2704 must be completed utilizing the Records Management System (RMS) Crash form for any reportable vehicle accident.
* As defined in the Arizona Department of Transportation (ADOT) Arizona Crash Report Forms Instruction Manual	

NOTE: The term accident, crash, and collision are used interchangeably.

2. **REQUIRED RESPONSE TO ACCIDENTS** - An officer will be dispatched to the scene of an accident involving:

- Death or injury
- Hit-and-run (as specified in this policy)
- Impairment of an operator due to alcohol or drugs
- Damage to **all** City or other government buildings, vehicles, or property
- Disturbances between subjects involved in the accident
- Major traffic congestion as a result of the accident
- Damage to vehicles to the extent towing is required



3. **LATE REPORTING OF ACCIDENTS**

- A. When non-injury or non-visible minor injury accidents are reported late and one of the following conditions exists, the victim will be informed no report will be taken:
- The accident scene cannot be reconstructed.
 - The victim is reporting the accident from a location other than where the incident occurred, and sufficient information is not available to complete an ACR.
- B. Employees will advise victims to contact their insurance company if further assistance is required.
- C. Employees will adequately describe the circumstances of the incident, including the reason/s why the investigation could not be completed, in the "Remark" section of the "Clear Call" dialog box on the Mobile Data Computer (MDC) prior to transmitting the disposition.

4. **REPORTABLE TRAFFIC ACCIDENTS** - Refer to the tables below (sections 4.A and B) to determine the necessary reports (Case Report (CR) and/or ACR) to be completed regarding traffic accidents.

NOTE: An ACR **will be** completed whenever there is doubt concerning the amount of damage or the severity of injury, or any time it is in the best interest of the Department.

A. **Accidents Occurring in the Trafficway**

ACCIDENTS INVOLVING:	TRAFFICWAY ACCIDENT		TRAFFICWAY HIT AND RUN	
	CR	ACR	CR	ACR
Death	Yes	Yes	Yes	Yes
Injury (possible/minor)	No	Yes	Yes	Yes
Injury (hospitalization)	Yes	Yes	Yes	Yes
Driving under the influence (DUI)	Yes	Yes	Yes	Yes
Reckless driving	Yes	Yes	Yes	Yes
\$2,000 damage or less	No	No	No ¹ Yes ²	No ¹ Yes ²
Any time a citation is issued for a moving violation pertaining to an accident	No	Yes	Yes	Yes
Any time a citation is issued for a criminal violation pertaining to an accident	Yes	Yes	Yes	Yes
Damage greater than \$2,000	No	Yes	No ¹ Yes ²	Yes
Any ³ City vehicle or property regardless of amount or severity of injury	No	Yes	No ¹ Yes ²	Yes

1. No witness can identify the suspect driver
 2. Witness can positively identify driver and there is strong possibility of follow-up such as an exact license plate number obtained
 3. **EXCEPTION:** Refer to [Operations Order 6.1.02, Police Driving Incident Reporting](#), when a police vehicle is the only vehicle damaged and the damage is minor.

B. **Private Property Accidents**

ACCIDENTS INVOLVING:	PRIVATE PROPERTY ACCIDENT		PRIVATE PROPERTY HIT AND RUN	
	CR	ACR	CR	ACR
Death	Yes	Yes	Yes	Yes
Injury (possible/minor)	No	Yes	Yes	Yes
Injury (hospitalization)	Yes	Yes	Yes	Yes
DUI	Yes	Yes	Yes	Yes
Reckless driving	Yes	Yes	Yes	Yes
\$5,000 damage or less	No	No	No	No



4. B. Private Property Accidents (Continued)

ACCIDENTS INVOLVING:	PRIVATE PROPERTY ACCIDENT		PRIVATE PROPERTY HIT AND RUN	
	CR	ACR	CR	ACR
Damage greater than \$5,000	No	Yes	No ¹ Yes ²	Yes
Any ³ City vehicle or property regardless of amount or severity of injury	No	Yes	No ¹ Yes ²	Yes
^{1.} No witness can identify the suspect driver ^{2.} Witness can positively identify driver and there is strong possibility of follow-up such as an exact license plate number obtained ^{3.} EXCEPTION: Refer to Operations Order 6.1.02, Police Driving Incident Reporting , when a police vehicle is the only vehicle damaged and the damage is minor.				

5. **NON-REPORTABLE ACCIDENTS** - Any motor vehicle accident not meeting the criteria as indicated in the tables in sections 4.A and B of this order.

- When a non-reportable accident is brought to the attention of the Department, employees will:
 - * Evaluate the accident to ensure it does not meet any of the criteria that requires a report.
 - * Assign a disposition of "N" to the incident and note the drivers' names, addresses, and telephone numbers in the "Remark" section of the "Clear Call" dialog box on the MDC prior to transmitting the disposition.

6. **TRAFFIC ACCIDENT INVESTIGATION PROCEDURES**

A. Procedures for All Accidents - The first employee to arrive on scene of any accident will:

- (1) Evaluate any injuries and provide necessary care, perform first aid, and request Fire Department personnel be dispatched if appropriate.
- (2) Protect the accident scene and preserve short-lived evidence until arrival of the investigating employee.
- (3) Establish a safe traffic pattern around the scene.
- (4) Locate and interview witnesses.
- (5) Expedite the removal of vehicles, persons, and debris from the roadway.
- (6) Safeguard the property of accident victims.
 - (a) Employees will take necessary steps to protect property belonging to accident victims from theft.
 - (b) When accident victims are unable to care for their property, high-value items or items subject to theft will be impounded for safekeeping.

B. Property Damage Only (961) - For accidents originating in the trafficway, involving more than \$2,000 in property damage, or \$5000 for a private property crash, employees will:

- Interview drivers, passengers, and witnesses.
- Ensure an RMS Accident Exchange Information form is completed and provide each involved driver with a copy.
- Release the non-violator driver as soon as practical.
- Record measurements and other accident information.
- Conduct any necessary follow-up.
- Complete the ACR, including the diagram.



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6. C. Injury (962) - In addition to the procedures listed in sections 6.A and B of this order, the investigating employee will:
- (1) Advise a supervisor of the severity of the injuries.
 - (2) If any driver suspected of operating a motor vehicle while impaired by alcohol or drugs, is to be treated at an emergency facility, an officer will immediately go to the facility and be available to take possession of blood samples drawn by emergency treatment personnel.
 - (3) Employees will determine the degree and extent of injuries to any persons involved in the accident by visiting the hospital or doctor's office to which they were removed.
 - The injured should be interviewed, if possible, and additional evidence secured.
- D. Fatality (963)
- (1) Any accident involving a vehicle in transport that results in death will be classified as a fatal accident.
 - If there is a question regarding whether a driver died as the result of a motor vehicle accident or the collision occurred as the result of the driver's death, such as in the event of a heart attack or suicide, the accident will be classified as a traffic fatality until such time as the medical examiner's investigation determines otherwise.
 - (2) Initial Response - In addition to the procedures listed in sections 6.A and B of this order, the first responding employees will:
 - Immediately notify a supervisor
 - When possible, obtain written witness statements from witnesses which will be given to the assigned VCU detective.
 - (3) Supervisor's Responsibilities
 - (a) Contact the Vehicular Crimes Unit (VCU) to request detectives respond to conduct the investigation.
 - (b) If any driver, suspected of impairment due to alcohol or drugs, is to be treated at an emergency facility, supervisors **will** ensure an officer immediately responds to the facility to be available to take possession of blood samples drawn by emergency treatment personnel.
 - (4) Vehicular Crimes Unit (VCU)
 - (a) VCU will take disposition of all fatalities at the scene.
 - (b) VCU may be utilized at serious 962s where the victim is critical or at the direction of a supervisor.
 - (c) In order to maintain the chain of evidence, the first employee to arrive on the scene will remain at the scene to brief the VCU detective.



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6. D. (5) Victim

(a) If the victim is not transported to a hospital because a Fire Department paramedic, who is in radio contact with a medical doctor, pronounces the victim dead at the scene, the body will not be moved until authorized by a VCU supervisor.

- An ambulance **will not** be used to transport the victim to the Medical Examiner's Office.

(b) Employees will obtain the names of the Fire Department personnel who treated the victim/s and, if applicable, the name of the paramedic who pronounced the victim dead.

- This information will be documented in the CR or an Officer Report.

(6) Delayed Fatality

(a) When a victim of a traffic accident dies at a later date as the result of injuries, detectives from VCU will complete the CR or an updated CR if one has already been completed.

(b) When VCU detectives are not available, the report on the delayed traffic fatality will be completed by field officers.

(7) From Other Jurisdiction (FOJ) Fatality

(a) When a fatality results from a traffic accident that occurred outside the City limits but where the victim is pronounced dead at a hospital in the City, a detective assigned to VCU will be responsible for completing a CR when the responsible agency is unable to make an immediate follow-up to the hospital.

(b) When VCU detectives are not available, the CR for the FOJ fatality will be completed by field officers.

E. Hit-and-Runs

(1) Hit-and-Run CR Information - Whenever possible, the following information will be included in the CR when documenting hit-and-runs:

- Complete description of the accident, to include the suspect and suspect vehicle description
- List of damage to specific areas of the involved vehicles
- Name of the driver of the vehicle damaged by the hit-and-run vehicle or name of the owner of any property damaged, listed as a victim
- Names of passengers and all available witnesses
- Complete list of impounded evidence and impound location
- If the suspect is apprehended, the suspect's personal information, driver license number, booking or citation number and charges, and any statements and/or admissions
- If the suspect is not apprehended, recommendation of charges to be filed

(2) No Report Required

(a) A separate hit-and-run CR will not be completed when a stolen vehicle is involved in an accident, when there is damage only to the stolen vehicle, and when the driver of the stolen vehicle leaves the scene.

- Related information will be included in the stolen vehicle CR.



- 6. E. (2) (b) When no reports are required, the employee will list the complainant’s name, address, telephone number, and any significant observations of the scene in the “Remark” section of the “Clear Call” dialog box on the MDC prior to transmitting the disposition.
- (c) Reports will not be made for insurance purposes only nor will they be made for late reporting of a hit-and-run accident unless the accident involves death or injury requiring hospitalization.
- (d) If a report is not being made, the employee will ensure the complainant understands no report is being generated and no follow-up will be conducted.
- (e) The employee will provide the complainant with the employee’s name, serial number, and the incident number to assist the complainant in the event the complainant’s insurance company later questions the validity of the location of occurrence, etc.

(3) Hit-and Run Investigations (At the Scene)

- (a) Radio Broadcast Assistance - Radio broadcasts of hit-and-run suspect vehicles and suspects will be made only when the accident has just occurred or when there are injuries or extensive damage involved.
- (b) Physical Evidence
 - Physical evidence present at the scene (headlight glass, tire prints, particles of paint, etc.) will be documented and preserved as evidence by means of photographs, mileage, containers, tags, etc.
 - The vicinity of the accident will also be searched for evidence that might have been lost from the fleeing vehicle.
- (c) Interview Witnesses at the Scene
 - When practical, employees will obtain written witness statements.
 - A statement will include the full name, address, date of birth, and business and home telephone numbers of the witness.
 - Statements will be scanned and added as an “Attachment” to the Case Folder.
- (d) Suspect Vehicles

(i) Impounding Hit and Run Vehicles As Evidence	<ul style="list-style-type: none"> • Vehicles involved in serious injury or fatal hit-and-run accidents may be impounded as Evidence with the approval of a VCU detective or a supervisor. <ul style="list-style-type: none"> * Vehicles discovered on a suspect’s private property away from the scene may be impounded as Evidence after obtaining a search warrant. * Vehicles may be impounded as Evidence from public property at any time. • Impound vehicles following the procedures as outlined in Operations Orders 7.5.05, Towing and Wreckers, and 5.8.00, Evidence, Impounding, and Property.
(ii) Towing Hit-and-Run Vehicles	<ul style="list-style-type: none"> • If hit and run vehicles are not needed as Evidence, they should be towed following the procedures as outlined in Operations Order 7.5.05, Towing and Wreckers. • Owners of property damaged as a result of a hit-and-run accident will not be advised the vehicle may be held pending payment of damages by the suspected driver.

6. E. (4) Hit-and-Run Enforcement

(a) General Information

- If a suspect in a hit-and-run is located, the suspect should be booked or issued an Arizona Traffic Ticket and Complaint (ATTC) in accordance with the enforcement guidelines listed in this order.
- Officers will bear in mind that many hit-and-run drivers leave the immediate scene for reasons other than fault, such as fear, shock, injury, drinking, or possibly to use a nearby telephone to call for assistance.
- **ALL** reportable hit-and-run offenses will be documented in a CR.

(b) Hit-and-Run Violations

<p>(i) Accidents Involving Death or Physical Injuries ARS 28-661</p>	<ul style="list-style-type: none"> • This statute covers those accidents where the suspect left the scene of an accident resulting in injury or death of a person without providing information <u>and</u> rendering assistance as defined in ARS 28-663. • Injuries should be visible rather than just complaints of pain. • Do not use this statute when the hit-and-run suspect is the only injured person. • Investigating officers will conduct hospital follow-up if the victim is transported for any reason. • VCU should be consulted on serious injury cases when possible. • Injuries, or the lack thereof, must be documented in the CR for both victims and suspects. <p><u>Enforcement</u></p> <ul style="list-style-type: none"> • A hit-and-run driver involved in an accident resulting in death or serious physical injury as defined in ARS 13-105, has committed a class 3 felony, except if the driver caused the accident then it is a class 2 felony. • A hit-and-run driver involved in an accident resulting in any <u>visible</u> physical injuries has committed a class 5 felony. * Do Not issue an ATTC for any civil or criminal offenses. * <u>Suspects in custody will be booked</u> if elements of the offense are present and probable cause exists. • If a victim claims to be injured but signs of injury are <u>not visible</u>, officers will not arrest the suspect; the CR will be submitted for prosecution.
<p>(ii) Accidents Involving Damage to Vehicle ARS 28-662</p>	<ul style="list-style-type: none"> • A hit-and-run driver involved in an accident resulting only in damage to an attended vehicle has committed a class 2 misdemeanor. * The suspect should be issued an ATTC as a citation in lieu of detention (CLD)*.
<p>(iii) Duty to Give Information and Assistance ARS 28-663</p>	<ul style="list-style-type: none"> • Duty to give information <u>and</u> render assistance. • This offense is a requirement of ARS 28-661, ARS 28-664, and ARS 28-665. • A driver who fails to provide their name, address, vehicle registration number, and on request, their driver license, has committed a class 3 misdemeanor. * The suspect should be issued an ATTC as a CLD*. • A driver who fails to render reasonable assistance, including: for example, calling 911, has committed a class 6 felony.
<p>(iv) Duty on Striking Unattended Vehicle ARS 28-664</p>	<ul style="list-style-type: none"> • A driver who leaves the scene of a traffic accident after striking an unattended vehicle without providing information as defined in ARS 28-663, has committed a class 3 misdemeanor. * The suspect should be issued an ATTC as a CLD*.



6. E. (4) (b) Hit-and-Run Violations (Continued)

(v) Striking Fixtures on a Highway ARS 28-665	<ul style="list-style-type: none"> A driver who leaves the scene of a traffic accident after striking fixtures on or adjacent to a highway or roadway without providing information as defined in ARS 28-663, has committed a class 3 misdemeanor. This code applies to fixed objects (fences, buildings, poles, signs, etc.) that are on or near a roadway. <p>* The suspect should be issued an ATTC as a CLD*.</p>
* Refer to Operations Order 7.6.00, Arizona Traffic Ticket and Complaints , for guidelines on issuing an ATTC as a CLD.	

F. **ABBREVIATIONS** - Officers will use the following abbreviations for reporting information in the ACR and diagrams:

AC	Access (Freeway)	LA	Lane
AV	Avenue	LO	Loop
BL	Boulevard	PY	Parkway
CN	Canyon	PL	Place
CR	Circle	RD	Road
CT	Court	SQ	Square
DR	Drive	ST	Street
EX	Express/Expressway	TE	Terrace
FW	Freeway	TR	Trail
HI	Highway	WY	Way
PI	Point of Impact	LOC	Left of Center
PR	Point of Rest	ROC	Right of Center
BPI	Before Point of Impact	VEH	Vehicles
API	After Point of Impact	P/U	Pick-up Truck
N, S, E, W	North, South, East, West	CONV	Convertible
PE	Pavement Edge	M/C	Motorcycle
TP	Traveled Portion	SKTR	Scooter
CL	Curb Line	BIKE	Bicycle
F of B	Front of Back	DLR	Dealer
B of F	Back of Front	N/B, S/B	Northbound, Southbound, etc.
LFC	Left Front Corner, or other applicable combinations	RFW	Right Front Wheel, or other applicable combinations

7. **WITNESSES**

- A. Witnesses and passengers will be located and interviewed as soon as possible.
- B. The following information will be obtained.
- Where the witness was located prior to the accident
 - What the witness was doing when the accident occurred
 - Description of all involved vehicle movements seen by the witness
 - Condition of traffic control devices
 - If the witness knows or is related to the drivers or passengers

8. **PHYSICAL EVIDENCE COLLECTION AT ACCIDENTS**

- A. Measurements will be taken at every reportable accident scene in order to complete an appropriate diagram for the ACR.



8. A. (1) Refer to the below table to determine the appropriate diagram to be completed as part of the ACR.

DIAGRAM TYPE	WHEN TO COMPLETE	MEASUREMENTS AND ITEMS TO INCLUDE
(a) Extensive Diagram	For accidents involving: <ul style="list-style-type: none"> Bodily injury Death Hospitalization Extensive damage to property Criminal violation (DUI, hit-and-run, reckless driving, etc.) 	<ul style="list-style-type: none"> Reference point from which the measurements are taken- Point of rest of all traffic units involved* Point of impact in relation to the reference point Individual width of street lanes, pavements, and shoulders Distance traveled of any objects struck by a vehicle Skid marks, scuff marks, and other marks on roadway (length and position) Location of visual obstruction (and height) from intersection or roadway Location of traffic control devices Location of any fixed object that was struck Location of major vehicle parts, accident debris, victims, etc. Any other relevant measurements <p>NOTE: The more serious the accident, the greater the need for accurate and complete measurements.</p>
(b) Simplified Diagram	For all other accidents not requiring an extensive diagram	<ul style="list-style-type: none"> Reference point from which the measurements are taken Point of rest of all traffic units involved* Point of impact in relation to the reference point Individual width of street lanes, pavements, and shoulders
* At least two measurements: for example, one from the right front tire and one from the right rear tire, will be taken for each involved traffic unit and noted on the diagram.		

- (2) In the **rare** instance where an accident cannot be reconstructed on a diagram, officers will advise a supervisor and document the reason/s and the advisement in the Narrative section of the ACR.

B. Photographs

- (1) Digital photographs should only be taken at the following accident scenes by digital camera certified personnel:
- Fatal accidents
 - Serious injury accidents
 - City equipment/liability accidents
- (2) Digital photographs will be processed/stored as outlined in [Operations Order 5.8.05, Photographs and Audio/Video Procedures.](#)

- C. Inspection of Vehicles - Inspection and testing of vehicles will be undertaken to establish the extent, location, and nature of the damage caused by the impact and for evidence of violations.



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8. D. Collecting Off-Scene Data

- (1) Employees investigating traffic accidents shall conduct the necessary follow-up, such as hospital follow-up, Laboratory Services Bureau (LSB) requests, and witness follow-up, to obtain sufficient information to complete the ACR and to support criminal or civil traffic charges.
- (2) If time becomes a problem, or if the investigator is unable to make the necessary follow-up, assistance may be requested from VCU.
 - The employee will make the request by memorandum through a supervisor, attaching copies of the investigative report.

E. Use of Expert and Technical Assistance - Employees investigating serious injury or fatal accidents will, on occasion, need technical assistance from experts like traffic engineers, photographers, mechanics, doctors, and other specialists, to aid employees in completing their investigation.

- (1) When the employee believes technical assistance is required, the employee will contact the VCU supervisor.
 - The circumstances of the accident will be reviewed, and those facts will be weighed to determine if the case warrants the technical assistance.
- (2) VCU maintains a list of services available from technical experts and will be responsible for obtaining their services should they be necessary.

9. ARIZONA CRASH REPORTS (ACR) - When the investigation has been completed, an RMS ACR will be completed in sufficient detail to indicate known relevant facts.

A. General Information

- (1) ACRs will be submitted to a supervisor by the end of the employee's shift.
 - The supervisor will review the ACR for completeness and accuracy, and approve within 48 hours of submittal.
- (2) When a subject is to be booked on accident-related charges (hit-and-run, DUI, aggravated assault, or manslaughter) the ACR will be included in the Case Folder.

B. Telephone Numbers

- (1) If victims and witnesses do not object, employees will obtain their business and home telephone numbers, entering them in the spaces provided.
- (2) Home telephone numbers and addresses of police employees **will not** be listed in reports.

C. Vehicle X - When the action of a vehicle not physically involved in an accident causes a collision involving another vehicle/s, the uninvolved vehicle will be referred to as Vehicle X.

- (1) Information pertaining to Vehicle X will be placed in the following sections of the ACR:
 - Narrative
 - Diagram
 - Witness statement and other pertinent reports
- (2) Vehicle X will not be included in the total number of vehicles physically involved in the accident.



9. C (3) If Vehicle X is still at the scene of the accident and is cited for the cause of the accident, the driver will be provided an Accident Exchange Information Form.

- The name, date of birth, and driver license number of the driver of Vehicle X will be included in the Narrative section of the ACR.

D. Diagrams

(1) A diagram will be completed for all accidents as outlined in the table in section 8.A.(1) of this order.

- Diagrams will represent, as accurately as possible, the space relationships between vehicles, objects, and roads, so that the accident can be visualized more easily.
 - The small scale (20 feet to the inch) will be used.
 - More than one diagram may be necessary in complicated accidents.

E. Physical Conditions at the Scene - Employees will describe the location of the accident and will note any defects at the scene with respect to the following items:

- Street surfaces (unprotected excavation holes, slippery surface, depressions, etc.)
- Visibility of warning signs or devices (signal lights, pavement guidelines, etc.)
- Lighting conditions
- Unusual circumstances that may have had an effect on the accident; such as wind or dust

10. **ENFORCEMENT ACTION**

A. When an ACR is completed, employees will cite all violators when there is sufficient physical evidence and/or witnesses to establish probable cause.

<p>(1) Causing Serious Physical Injury or Death by a Moving Violation ARS 28-672</p>	<p>A person is guilty of causing serious physical injury or death by a moving violation if the person violates any one of the following and the violation results in an accident causing serious physical injury as defined in ARS 13-105 or death to another person (a class 3 misdemeanor):</p> <ul style="list-style-type: none"> (a) Red light violation ARS 28-645.A.3.a (b) Drive in one lane/unsafe lane change, ARS 28-729 (c) Failure to yield right-of-way at intersection, ARS 28-771 (d) Left turns at intersections ARS 28-772 (e) Failure to yield from stop sign, ARS 28-773 (f) Failure to yield at a crosswalk ARS 28-792 (g) No due care to avoid pedestrians ARS 28-794 (h) School zone violation ARS 28-797 F, G, H, or I (i) Stop sign violation ARS 28-855.B (j) Overtaking/passing school bus ARS 28-857.A <p>NOTE: Cite for ARS 28-672 as well as the underlying violation listed above.</p>
<p>(2) Causing Death by Use of a Vehicle ARS 28-675</p>	<p>A person is guilty of causing death by use of a vehicle if all the following apply (a class 4 felony):</p> <ul style="list-style-type: none"> • The person is not allowed to operate a motor vehicle if the person's driving privilege is revoked or suspended. • While operating a motor vehicle, the person causes the death of another person. • The person commits any of the violations noted above in section 10.A.(1)(a) through (j).



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<p>(3) Causing Serious Physical Injury by Use of a Vehicle ARS 28-676</p>	<p>A person is guilty of causing serious physical injury by use of a vehicle if all the following apply (a class 5 felony):</p> <ul style="list-style-type: none"> • The person is not allowed to operate a motor vehicle if the person's driving privilege is revoked or suspended. • While operating a motor vehicle the person causes serious physical injury to another person. • The person commits any of the violations noted above in section 10.A.(1)(a) through (j).
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B. Officers will complete a CR on suspected violations and ensure suspects (including those that are hospitalized) are properly identified.

C. When an accident does not meet the criteria for being reported on the ACR, an Arizona Traffic Ticket and Complaint (ATTC) will not be issued for moving violations associated with the accident.

(1) An ATTC may be issued for administrative or non-moving violations (no insurance, expired registration, etc.).

(2) The name, address, and telephone number of the other drivers or passengers should be documented in the employee's notes of the ATTC for future reference.

11. **JURISDICTION ON FREEWAYS**

A. The Department of Public Safety (DPS) has jurisdiction over accident investigations occurring on the freeways, access roads, and on/off ramps.

- "On ramps" and "off ramps" include that portion of the roadway between the gore point and the intersecting street of the interchange or intersection.

B. The Department will investigate all accidents at locations not investigated by DPS including overpasses and underpasses, as well as frontage roads not considered part of the "on ramp" and "off ramp."

C. When a frontage road is not present, DPS will take jurisdiction on accidents occurring on the freeway and on/off ramps, but not on overpasses and underpasses.

D. When a disagreement arises regarding jurisdiction, Department employees will conduct the necessary investigations (there is concurrent jurisdiction under state law).

12. **UNLAWFUL SOLICITATION OF TORT VICTIM** - [ARS 13-2924](#) makes it a class 1 misdemeanor to solicit a tort victim at the scene of any accident.

A. Upon initial contact with a person suspected of this crime, obtain adequate information to complete a Field Interview (FI) and then ask the person to leave.

- Route the FI to "WF Vehicular Crimes Supervisors".

B. In aggravated circumstances (suspect refuses to leave or stop soliciting victims):

- A CR will be completed.
- Arrests may be made with a supervisor's approval.



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13. **SPECIAL TRAFFIC ACCIDENT INVESTIGATIONS** - Officers will follow the procedures as listed in [Operations Order 7.5.03 Collision Investigations; Special Procedures](#) for investigating accidents involving:

- City equipment/property and governmental vehicles
- An on duty Department employee
- An on duty Phoenix Fire Department employee
- An on duty police or fire department employee from other jurisdictions
- Railroad trains
- Explosives, chemicals, or gasoline tankers
- Commercial vehicles
- Commercial shipments of meat and poultry
- Light Rail Vehicles (LRVs)

Last Organizational Review:

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