


**DPS STANDARD OPERATING PROCEDURE**

	<b>SUBJECT:</b> <b>TRAFFIC ACCIDENT INVESTIGATION</b>  <b>DPS SOP 2011-01</b>	<b>SECTION(S):</b>  ALL	<b>DISTRIBUTION:</b>  ALL PERSONNEL
	<b>ISSUING AUTHORITY:</b>  ROBERT MALDONADO CHIEF OF PUBLIC SAFETY (ELECTRONICALLY SIGNED)	<b>EFFECTIVE DATE:</b> January 21, 2011  <b>REVISED DATE:</b> June 12, 2017	<b>SUPERSEDES:</b>  SOP2001-05 Revised Re SU Owned Veh., Pg. 7

**TRAFFIC ACCIDENT INVESTIGATION**

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## REFERENCES:

- SOP 2011-52 SPD/DPS Authorizing MOU
- SOP 2011-50 SPD/DPS Joint Operational Procedures
- Department of Motor Vehicles Publication, "Police Accident Report Manual".
- SOP 2010-04 Operation and Accidents of University Owned or Controlled Vehicles
- SOP 2011-27 DWI Investigations and Arrests
- SOP 2011-05 Traffic Enforcement/Direction and Control
- S.U. Accident Exchange of Information Form
- Risk Management Vehicle Accident Procedure  
(<https://riskmanagement.syr.edu/accident-reporting-claims/automobile-claims/> )
- Syracuse University Vehicle Safety Policy & Guidelines  
(<http://supolicies.syr.edu>)

**ATTACHMENTS:** None

**I. APPLICABILITY:** This Standard Operating Procedure is applicable to all Syracuse University Department of Public Safety (DPS) employees, including Fire & Life Safety Services units. **(09/06/16)**

**II. PURPOSE:** The purpose of this policy is to establish procedures for traffic accident investigation management within the DPS authorities to investigate traffic accidents set forth in the MOU between the Syracuse Police Department and the DPS and for the collection and dissemination of information, and the review of accidents and patterns of accidents to reduce the frequency and severity of traffic accidents on campus and within the DPS jurisdiction. **(01/23/15)**

**III. POLICY:** It is the policy of the Syracuse University Department of Public Safety to investigate property damage automobile accidents on campus, not involving University Vehicles, or a serious hit and run. The DPS may investigate property damage auto accidents on public streets within the jurisdiction of the DPS if directed by a Syracuse Police Supervisor to do so. DPS cannot investigate serious injury (fatal) auto accidents, as set forth in the MOU between the Syracuse Police Department and the DPS. The DPS will assist the SPD as requested. The DPS will use the information gleaned from the investigation of traffic accidents to reduce the number of motor vehicle accidents that occur on University property; or involving University owned vehicles, and investigate those accidents assigned to determine the proximate cause of the accident and whether first aid, vehicle towing and assistance with traffic congestion are required. **(01/23/15)**

Members of the department shall make every effort to provide for public safety, ensure the efficient flow of vehicular and pedestrian traffic, and enforce the vehicle and traffic law when investigating or assisting the SPD at motor vehicle accident scenes.

#### IV. DEFINITIONS:

- A. Motor Vehicle Accident: A motor vehicle accident is any event that results in death, injury and/or property damage attributable directly or indirectly to the motion of a motor vehicle or its load.
- B. Reportable Motor Vehicle Accident:
1. Pursuant to section 605 of the NYS V&T Law, the following motor vehicle accidents must be reported to the Commissioner of Motor Vehicles within the time periods specified in the V&T Law:
    - a. Any accident involving personal injury.
    - b. Any accident involving property damage in excess of \$1000.
    - c. Any accident involving a death.
  2. Pursuant to Syracuse University Vehicle Safety Policy and S.U.'s Risk Management Procedure for Motor Vehicle Accidents, any accident involving a University vehicle must be reported to the Department of Public Safety if it occurs on University property or to a local law enforcement agency if it occurs off University property.
- C. Traffic Accident Investigation: The collection of factual information regarding people, roads, and vehicles involved and the interpretation of these facts in an attempt to specify the peculiar combinations of factors that produced that particular accident.

The accident investigation includes basic data collection to identify and classify a traffic accident and the persons and vehicles involved, and the time, location, and planned movements involved and possible contributing factors such as traffic law violations or highway engineering related matters.

#### V. PROCEDURES: DPS ACCIDENT INVESTIGATIONS

- A. **Traffic Accident/Collision Response (Limitation of DPS Authority)**: There are limitations of DPS authorities for Accident Investigations and Reporting which exclude DPS investigations of serious injury or fatal traffic accidents, serious hit and run accidents or accidents involving University or DPS vehicles. The Syracuse Police will investigate these matters pursuant to the Memorandum of Understanding. Refer to SOP 2011-52 SPD/DPS Authorizing MOU and SOP 2011-50 SPD/DPS Joint Operations Procedures. (01/23/15)
1. Officers shall respond to the scene of a motor vehicle collision when assigned and the collision occurs on property that the University owns, controls or operates. Officers may investigate and prepare a report including an MV104a and for serious accidents, when instructed also prepare an investigative report for the different types of accidents and incidents listed below: **(01/25/16)**
    - a. Injury or Death: These matters are investigated by the Syracuse Police Department as set forth in the MOU between the departments (Exception to DPS Investigation Authority). Notify the Patrol Sergeant. **(10.2.1 a) (61.2.2 a)**

- b. Damage to public property, vehicles or property **(10.2.1 b) (61.2.2 d)**
  - c. Hit and run: Minor property damage hit and run accidents may be investigated by the DPS. Serious hit and run accidents investigated by the SPD. All follow up investigation of hit and run accidents conducted by the SPD. **(10.2.1 c) (61.2.1 c) (61.2.2 b)**
  - d. Impairment of an operator due to alcohol or drugs. These accident investigations are turned over to the Syracuse Police Department for investigation per the MOU with the SPD. Notify the Patrol Sergeant **(10.2.1 d) (61.2.1 d) (61.2.2 c)**
  - e. Hazardous Materials: If a serious incident SPD will investigate. The Syracuse Fire Department has a full Haz-Mat Team with both specialized knowledge and equipment and is a first responder to these incidents. Notify the Patrol Sergeant **(10.2.2 h) (61.2.1 e) (61.2.2 e) (1/23/15)**
  - f. University property or private property of university community members as assigned. **(10.2.1 h) (61.2.2 d)**
  - g. Accidents involving Animals (Including dogs/cats): Investigate unless aggravating circumstances such as personal injury, then call SPD.
  - h. Accidents relating to other Criminal Activity: **(10.2.1 e)** Accidents involving or resulting from other Criminal Activity will be investigated and reported on an MV-104a Police Accident Report as well as with an investigative or a supplemental report, depending if the matter was investigated by the DPS or TOT and investigated by the SPD. **(01/25/16)**
  - i. Accidents involving public transportation or mass transportation vehicles: **(10.2.1 f)** Minor Property Damage ONLY Accidents occurring on campus involving buses or motor coaches may be investigated by the DPS. The MV-104 a will have an attachment listing the names and other identifying information associated with an MV-104a. A DPS Supervisor will determine if an investigative report is required, or if the matter should be TOT the SPD for investigation.  
  
Bus or coach accidents involving personal Injury or death must be TOT to the SPD for investigation. Notify the Patrol Sergeant. The DPS Patrol will assist in handling the scene and prepare a supplemental report of the incident, including a duplicate copy of an MV-104a for DPS records. **(01/25/16)**
2. Responsibilities at the Scene and for clearing the Scene: Unless otherwise directed by a supervisor, and more thoroughly outlined in Section D, the initial responding officer shall be responsible for requesting additional emergency services required, conducting the motor vehicle accident investigation, to protect the scene, to oversee the emergency medical needs of those involved, and identify and secure witnesses and evidence.
- The officer is responsible to inventory and secure personal property in towed vehicles and shall also call for towing services to remove inoperable vehicles and debris from the roadway. **(10.2.2 a, b, c, d, f, g, j) (61.2.2 h) (01/25/16)**

3. Traffic Congestion caused by Accident: DPS officers assigned to investigate a motor vehicle collision will provide first aid, preserve evidence when necessary, and ensure the safe and efficient flow of traffic that may be heavily congested due to the accident. The accident scene may cause the need to have traffic diverted to an alternate route to reestablish a safe and efficient traffic flow and to also allow safe and efficient access to the scene for additional emergency equipment. **(10.2.2 e) (61.2.2 g) (01/23/15)**
4. Disturbances between Principals: Officers should be aware that emotions between persons involved in the accident relating to the accident damage, injuries or the responsibility for the accident, may lead to disruptive or assaultive behavior. The officer should be prepared to physically intervene if necessary. **(10.2.2 i) (61.2.2 f)**
5. Accidents on Certain Public Streets: DPS officers may, at the direct request of a Syracuse Police Department (SPD) supervisor (not the Onondaga County 911 Center), and with the approval of a DPS supervisor, conduct an investigation relative to a minor motor vehicle accident involving a university community member on a public street that intersects, abuts or adjoins the University when a SPD officer is not available.

**B. Motor Vehicle Accident Investigation and Reporting:**

1. Upon being assigned and responding to the scene of a reported motor vehicle accident, the New York State Vehicle and Traffic Law requires that officers conduct an investigation and prepare a NYS Motor Vehicle Accident Report (MV-104A) when the motor vehicle accident involves any of the following :
  - a. Physical injury or death. (*Note that Traffic Accidents involving Serious Physical Injury or Death will be investigated by the SPD per MOU*) **(10.2.1 a) (61.2.1 a)**
  - b. Property damage in excess of one thousand dollars (\$1,000) **(10.2.1 b) (61.2.1 b)**
  - c. Property owned, controlled, or operated by the University
  - d. Hit and run (*Note that Hit and Run Traffic Accidents involving Serious Damage will be investigated by SPD per MOU*) **(10.2.1 c) (61.2.1 c)**
  - e. Impairment due to alcohol or drugs (*Note that Traffic Accidents involving DWI or DWAI will be investigated by the SPD per MOU*) Refer to SOP 2011-27 DWI Investigations and Arrests) **(10.2.1 d) (61.2.1 d)**
  - f. Hazardous Materials: Responding officers will note specific conditions such as fire or chemical hazards and take appropriate actions to safeguard themselves, other first responders and the public. (If serious, SPD will handle the investigation.) The Syracuse Fire Department has a full Haz-Mat Team with both specialized knowledge and equipment and is a first responder to these incidents. **(61.2.1 e) (01/23/15)**

- g. Private property - Except that no report is required when a minor accident occurs on private property that is typically not open to the general public, such as a private residence ( when an injury occurs a report is required). **(10.2.1 h) (61.2.1 f)**
2. Arrival at the Scene: The officer will park the patrol vehicle in a position where maximum protection is provided to the scene and will utilize the patrol vehicle's emergency equipment when appropriate to protect the scene, other first responders and persons at the scene.
  3. Fire/Hazardous Materials: Responding officers will note specific conditions such as fire or chemical hazards and take appropriate actions to safeguard themselves, other first responders and the public. The Syracuse Fire Department has a full Haz-Mat Team with both specialized knowledge and equipment and is a first responder to these incidents. **(10.2.2 h) (61.2.1 e) (01/23/15)**
  4. Additional Emergency Services: Officers will evaluate the scene and make a determination whether emergency services, a DPS supervisor or additional officers may be needed to assist, and will notify the Emergency Communications Center of their requests. **(10.2.2 b)**  

The officer will summon additional assistance as required to include tow trucks, fire/rescue, salters /plows, etc. **(61.2.2 h)**
  5. When a DPS Officer is the investigating officer of a motor vehicle accident, the officer shall complete the New York State Department of Motor Vehicles form (MV104A) for all motor vehicle accidents described in section A above. This form shall be completed in accordance with the instructions provided in the Department of Motor Vehicles publication, "Police Accident Report Manual".
    - a. Public and private property damage, the type, extent and ownership of the property, motor vehicle damage and injuries should be briefly documented in the narrative of the MV-104A. **(10.2.2 b) (61.2.2 d)**
  6. Collision Investigation Follow-up Procedures: Officers may find it necessary and more convenient to continue the investigation at the DPS Office after leaving the scene of some accidents. (Example: Hit and run investigations.) It is often more efficient to process evidence, draw detailed diagrams from measurements taken from the scene, take witness statements, or to obtain technical assistance by using the facilities at the office.
    - a. Serious accidents are turned over to the Syracuse Police Department who will perform accident reconstruction and other follow-up investigative acts associated with the accident.
    - b. A DPS Officer requested to assist with the SPD investigation will notify the Patrol Sergeant of the request and provide the requested assistance, if approved. **(61.2.4) (09/06/16)**

**C. Accidents Involving University Owned Vehicles:**

1. The Syracuse Police will be called to investigate all motor vehicle accidents involving University owned vehicles that occur on University property. At the request of SPD the DPS may investigate these accidents. **(06/12/17)**
  - a. The investigating DPS officer will inform the operator(s) of University owned vehicles to complete the "Glove box" report and forward it to the Office of Institutional Risk Management via his/her immediate supervisor.
  - b. When an accident occurs on-campus, advise the operator of the University vehicle to notify the Office of Institutional Risk Management of the accident at 315-443-5334.
  - c. Notify the Fire & Life Safety Services Unit to respond to the scene (if on duty) to assist with the MVA's involving University owned vehicles and take pictures of the damage and scene. **(09/06/16)**
  - d. When an accident occurs off-campus, contact the appropriate Police Department to file a report. Please make sure the Office of Institutional Risk Management Department is notified and receives a copy of the Police Report (obtain the number of the Police Report). Complete the glove compartment accident report form and send to the Office of Institutional Risk Management.  
  
Note: It is acceptable to complete an (CAD / CHAIRS2) Investigative report only for accidents that occur off of SU property after receiving a copy of the MV-104A from the investigating police agency and then forward all of this to the Office of Institutional Risk Management.
  - e. Obtain the names, addresses and telephone numbers of all witnesses. Do not make any statement concerning the assumption of liability. Give out only that information required by authorities.
  - f. Advise the University employee to report the accident to their supervisor. (Failure to report an accident would be in violation of the University's Vehicle Safety Policy Procedures and also may jeopardize appropriate insurance coverage's when liability is involved.)
2. Accidents Involving DPS Vehicles: **(10.2.1 g)** When a motor vehicle accident involves a DPS vehicle and another vehicle, an appropriate outside law enforcement agency should be requested to complete the investigation and report.
  - a. Notify the DPS Duty Officer of the accident as soon as possible after providing first aid and securing the accident scene.
  - b. Only the extended unavailability of an SPD officer, or other police agency with jurisdiction might permit a DPS supervisor to conduct the investigation and complete a report.
  - c. The investigation of DPS vehicles/personnel involved in motor vehicle accidents is treated more thoroughly in SOP 2010-04 Operation &

Accidents of University owned or Controlled Motor Vehicles Part IV.  
Section B.

- d. Minor DPS involved property damage single vehicle accidents, with no injuries may be investigated by a DPS supervisor. If, however, a DPS related motor vehicle accident results in any injury, an outside agency should initiate and complete the investigation.
3. Officers will utilize the Supplemental Motor Vehicle Accident Reports (form 11.5a), when obtaining witness statements in support of the issuance of Uniform Traffic Tickets and/or when making a custody arrests.
4. Officers may provide a *Civilian Accident Report* (form MV-104, per section 605 of the NYS V&T Law) to the involved parties, upon responding to a scene and after discovering the following:
  - a. Neither involved party requests a written report
  - b. The accident does not involve a University owned or leased vehicle
  - c. The incident did not occur on University Property
  - d. Damage is less than \$1,000
  - e. There are no reported injuries
  - f. There is no damage to public property or university property
  - g. The accident being reported occurred at some earlier point in time and/or location other than the original accident scene more than five (5) days previously
  - h. There are no unusual or extenuating circumstances
5. Officers will provide the *S.U. Accident Information Exchange Form* to the driver of each vehicle involved in a motor vehicle accident to comply with the provisions of Section 600-b of the NYS V&T Law.
  - a. The top copy of the SU Accident Information Exchange Form will be filed with the DPS by the officer completing the MV-104a and the other copies given to the parties involved in the accident.
6. All Motor Vehicle Accident Reports (MV-104a) shall be forwarded to the appropriate supervisor for review and approval and for subsequent dissemination to Albany's Department of Motor Vehicles. Motor vehicle report photocopies will likewise be affixed to the accompanying Aegis report and maintained in the Records section.

**D. Fire and Life Safety Services Unit Response and Reporting (FLSS)\_(09/06/16)**

1. FLSS response should be considered a priority 3 call unless injuries are considered life threatening, in that case the call becomes a priority 2.
2. Upon arrival the Safety Officer will do a quick assessment of the scene to ensure that all vehicles involved in the accident are secure and that no hazards are present.
3. The Safety Officer will check with all parties involved to determine the extent of injuries.

4. If there are injuries:
  - a. The Safety Officer will do a basic assessment of the injured person(s).
  - b. Universal precautions should always be followed when giving direct patient care which includes wearing gloves and all other appropriate PPE's.
  - c. Stabilize the injured person(s) if needed, stop bleeding, hold c-spine etc...
  - d. Ask injured person(s) questions about medical history, medications, and affiliation with Syracuse University.
  - e. Once SFD/SUA/AMR shows up let them take control of the scene assisting them as needed.
  - f. If the injured person(s) is an employee, the Safety Officer should ensure that their supervisor has been notified. The supervisor is responsible for filling out a worker's comp form and sending it to the Office of Institutional Risk Management.
5. University affiliation should be determined. No action is needed if neither vehicle is owned by Syracuse University or no university property is damaged.
6. Drivers name, phone number, vehicle license plate and University Department should be noted.
7. Get a brief description of the accident from both drivers.
8. Pictures of the entire scene should be taken.
9. If any oil or other fluids are spilled as a result of the accident Speedy Dry shall be applied and EHSS should be notified to respond.
10. After the Incident:
  - a. All pictures should be emailed to the responding DPS Officer.
  - b. A brief description of the accident and all of the pictures should be saved by the corresponding DPS DR# into the G:\BFAS\Safety\Pictures
11. After the Incident, if there are injuries:
  - a. The Safety Officer will fill out an Investigation report found on the G:drive under G:\BFAS\Safety\Forms & Cards\Investigation Reports
  - b. The report should include:
    - i. DPS DR #
    - ii. Date
    - iii. Name of injured person(s)
    - iv. Phone #
    - v. Specific Location
    - vi. Description of Occurrence
    - vii. Apparent cause
    - viii. All pictures taken

- c. The report should be sent to the Office of Institutional Risk Management within 24 hours of the incident.

**E. Accident Scene Responsibilities:**

1. The first officer to arrive at an accident scene shall perform the following:
  - a. Determine the agency and appropriate officer, who will take charge of the scene, conduct the investigation and complete the required report(s). **(61.2.3 a)**
    - i. The officer assigned to an accident shall have the responsibility and authority to request assistance from any other officer(s) and specialized equipment as needed.
  - b. He or she becomes the primary investigating officer in charge at the scene unless the supervisor deems it more appropriate to assign another officer those responsibilities, or unless special expertise is required as would be the case in a fatality or accident where the injury is life-threatening.
  - c. The officer will—regardless of the possibility of his or her being relieved of investigative responsibility, assess the scene to determine whether emergency services are required and request first aid or emergency medical treatment to any injured persons; and the officer will triage injuries and provide medical assistance until such time that he or she is relieved by experienced emergency medical technicians. **(61.2.3 b)**
  - d. If the collision resulted in a fatality, or is potentially life-threatening, the officer will request a response from the appropriate outside law enforcement agency (per MOU with Syracuse Police Department) and will secure the scene in the same manner as any major crime scene, and will immediately ensure that the Patrol Supervisor is notified.
  - e. Accidents Involving Electrical/Fires or Hazardous Materials:
    - i. The officer will identify and deal with any electrical or fire hazard and/or hazardous material and will take the following action to safeguard persons in the area while attempting to remediate hazardous material incidents or other dangerous situations. **(10.2.2 h) (61.2.3 c)**
    - ii. When dealing with accidents involving downed utility service lines, fires or suspected gasoline or hazardous material spills notify the Emergency Communications Center (ECC) and request the Fire Department and if necessary that the utility company be notified.
    - iii. Officers will not enter the affected area or otherwise expose themselves to any potentially dangerous substance, will attempt to stay upwind of hazardous materials, and will direct all other responders to arrive upwind of the accident.
    - iv. Reroute other traffic from the scene in a safe direction.

- v. The officer will attempt to determine the type of hazardous material involved from identification placards on the vehicle, the vehicle's shipping papers, or information provided by the operator and will use the *Emergency Response Guidebook* to define an appropriate response (The Emergency Response Guidebook is located in every vehicle and at the Communications Center and the guidebook illustrates hazardous materials placards and identifies and describes the relevant hazard, appropriate emergency procedures, and evacuation procedures).
  - vi. When a hazardous spill or fire has occurred, the officer(s) will request that the Communications Center immediately notify the Fire Department for their HAZMAT Response Team.
- f. The officer charged with investigating the accident will examine the scene for factors that may have contributed to the accident (such as natural hazards, visibility obstructions, inoperative traffic control devices, etc.).
  - g. The first responding officer(s) will make and record their observations, make a note of all conditions, identify and interview the principles or witnesses to the collision, and record any remarks, comments, or admissions provided. **(10.2.2 f) (61.2.3 d)**
  - h. Officers will protect the scene for evidence when there is an apparent need for further investigation or need for the collection of evidence and will ensure that photographs are obtained as required and will protect the scene by: **(10.2.2 d) (61.2.3 e)**
    - i. Positioning the police vehicle and activating its emergency lights.
    - ii. Requesting additional units, fire department personnel, or University Safety officers to assist and direct traffic.
    - iii. Using flares or traffic cones to re-route traffic around the accident scene.
    - iv. Using police line tape around the accident scene to keep pedestrians away from the scene when necessary.
  - i. The officer will examine and record vehicle damage and effects on the roadway.
  - j. The officer will issue appropriate traffic citations when necessary in accordance with SOP 2011-05 Traffic Enforcement/Direction and Control.
  - k. The officer will expedite the removal from the roadway of vehicles, person(s), and debris.
  - l. The officer will notify the Patrol Sergeant when supervisory assistance is needed.
  - m. If the officer determines that the collision is a result of the operator being under the influence of alcohol or some other drug an arrest

will be made pursuant to SOP 2011-27 DWI Investigations and Arrests.

- n. Security of Personal Property: **(10.2.2 j) (61.2.3 f)** The Officer in charge of the investigation shall be responsible for the security of property at the scene if an accident victim is unable to care for same, and

In the event an accident victim is transported from the scene, officers shall attempt to have small items of value transported with the victim. These may include, but are not limited to, the following:

- i. Wallets, billfolds, purses
- ii. Jewelry
- iii. Prescription drugs
- iv. Clothing

**G. Hit and Run Investigations: (10.2.1 c) (61.2.1 c) (61.2.2 b)**

If either driver is not present at the scene of a reported property damage accident in violation of NYS Vehicle and Traffic law section (600.1a), or an accident involving injury (600.2a ) officers should not assume that it is a hit/run until further inquiry indicates the possibility.

1. Perform the following actions if the incident appears to be a hit/run:
  - a. Notify the DPS Patrol Sergeant.
  - b. Broadcast a Point-of-Information (POI) to all units to include: Information such as license plate number, color, make and model of the vehicle, damage and direction of travel, and physical description of the driver, if available.
  - c. The officer will, during the continuance of the investigation, likewise obtain a SPD DR # and ensure that a General Message is broadcast by SPD.
  - d. If the hit and run vehicle is identified by evidence present at the scene, or by witnesses' statements, the investigating officer will call an SPD evidence technician to process the scene for evidence. The officer will make every effort to locate the suspected hit and run vehicle during his/her current tour of duty.
  - e. If the investigating officer must leave the scene of the accident or change locations, to further the investigation (hospital etc.), a supervisor shall be notified.
  - f. If data reveals that the suspect vehicle is owned or operated by someone who resides outside the DPS Geographical Area of Employment (GAOE) the Emergency Communications Center will notify the appropriate local police agency. A request will be made for that agency to dispatch an officer to check the residence and the surrounding area in an attempt to locate the suspect vehicle, and ascertain if it could have been involved in the accident.

- g. If the hit and run vehicle is located off campus, and sufficient probable cause is established to identify the suspect vehicle that was involved, the investigating officer shall work with that agency to ensure that:
  - i. The suspected operator is interviewed if located
  - ii. The vehicle is impounded if located on a street or other public property.
  - iii. If located on private property, a search warrant will be obtained to allow the impounding of the vehicle.
  - iv. Ensure that the Point-Of-Information (POI) and General Message is cancelled.
  - v. The original investigating officer has primary responsibility for the completion of the preliminary investigation and will exhaust all solvability factors prior to the end of their current tour of duty.

**E. Enforcement of Traffic Offenses at Motor Vehicle Collisions: (10.1.4 k)**

- 1. When investigating a motor vehicle accident officers must establish all the elements of a vehicle and traffic law violation or offense, prior to taking enforcement action. The elements of the violation of law in an accident, that the officer has not personally witnessed, must be established through investigation. Sufficient probable cause must be established and documented, that justify an officer lodging a simplified traffic information, misdemeanor or felony complaint. The elements of a violation of law that is an “accident arrest” may be established by:
  - a. Obtaining statements or admissions from an alleged violator, or a written confession, when appropriate.
  - b. Obtaining statements/ sworn affidavits from witnesses.
  - c. Physical evidence present.

**POLICY REVISION HISTORY**

<b>NO</b>	<b>SECTION REVISED</b>	<b>DATE ISSUED</b>
1	Formatted	09/23/12
2	Reviewed and Revised re Accreditation	01/23/15
3	Reviewed & Revised re IACLEA, Pg. 4, Mass Transit A/A	01/25/16
4	Reviewed and Revised re CALEA, Pg. 6 Follow-up Invest.	09/06/16
5	Revised re MVA involving SU owned vehicles	06/12/17
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