

TOPEKA POLICE DEPARTMENT POLICY AND PROCEDURE MANUAL
5.2 MOTOR VEHICLE ACCIDENT INVESTIGATION AND REPORTING

SUBJECT: Motor Vehicle Accident Investigation and Reporting

5.2

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5.2.1 PURPOSE

This Order establishes the procedures for crash reporting and investigation.

5.2.2 POLICY

Officers shall respond to and investigate all crashes and file reports on crashes involving death or injury, property damage over \$1000, hit and run, hazardous materials, impairment due to alcohol or drugs, certain occurrences on private property, major traffic congestion as a result of a crash, disturbances between involved parties and damage to City of Topeka vehicles or property.

5.2.3 DEFINITION

A reportable traffic accident as defined by the State of Kansas is any accident occurring on or involving a public roadway (including parking lot traffic ways) which results in death or injury to a person or total property damage of \$1,000 or more. One exception to this is fatal accidents occurring on private property which are reportable accidents.

5.2.4 PROCEDURES

- A. A reportable traffic accident shall be reported to the Kansas Department of Transportation (KDOT) within 10 days of the investigation on state approved forms.
 - 1. The Kansas state approved accident form should be completed electronically.
- B. Officers shall refer to the Kansas Motor Vehicle Accident Report Coding Manual available on the department intranet in "Agency Forms" for complete state requirements and definitions.
- C. When officers are dispatched to a reportable traffic accident and there is any visible damage on any vehicle or city, county or state owned property, an accident report shall be taken.
- D. Crash Investigation Procedures – General

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1. At the scene of a crash, the responding officer shall:
 - a. Identify injured persons and/or call for emergency medical care and/or render first aid within the limits of their training, skills and available equipment;
 - b. Advise supervisor if the Accident Reconstruction Team needs to be requested in the event of serious injury or death;
 - c. Summon additional assistance in the event of traffic congestion, a disturbance between parties involved, a fire hazard or hazardous material, (e.g., officers, fire personnel, tow truck, etc.);
 - d. Protect the crash scene and preserve the evidence, e.g., broken parts, skid marks, etc., in the event of any follow-up investigations, such as for a hit and run or fatality;
 - e. Control property belonging to crash victims, i.e., ensure that property belonging to crash victims is protected from theft and is temporarily moved to a place of safekeeping;
 - f. Establish a safe traffic pattern around the scene;
 - g. Wear Federally compliant reflective clothing at all times, e.g., traffic vest or reflective jacket;
 - h. Remove the vehicles, persons and debris from the roadway when practical;
 - i. Collect information necessary for proper completion of the Vehicle Accident Report form;
 - j. Ask each driver and each witness what happened. Obtain valid identification from all parties prior to their departure from the scene;
 - k. Examine and record vehicle damage and the effects on the roadway. Note the position of all vehicles involved and take measurements, photographs, and collect evidence on all injury or serious property damage accidents, when possible.
 - l. Issue the appropriate Uniform Complaint and Notice to Appear citation(s) when probable cause exists to believe that the cause of the crash is due to a violation of a traffic laws;
 - m. Advise SCECC on any traffic engineering deficiencies as a result of the crash; and
 - n. Ensure all drivers involved in the crash receive a victim information sheet with the completed information they will need for their insurance company.
2. Insurance verification form (DC-66) completion procedures:
 - a. A DC-66 form will be completed for every vehicle in which the driver does not provide a proper proof of vehicle liability insurance coverage;
 - b. A DC-66 form is not required if the driver provides proper proof of insurance that matches the VIN of the vehicle; and

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- c. If the officer questions the authenticity of the proof of insurance paperwork then a DC-66 form should be completed.
3. The reporting officer is not required to conduct a follow-up investigation for non-reportable accidents. Officers may complete an accident report if circumstances would indicate doing so would be advisable. The report will not be sent to the state in these instances.
4. Responding officers shall promptly request wrecker services when damage to vehicles necessitates required towing.
5. The Accident Reconstruction Team shall conduct follow-up investigation when they respond to investigate a crash.

E. DUI Crashes

1. When an officer has reasonable suspicion during a vehicle crash investigation that a driver is impaired, the officer will conduct further investigation and may request that the driver perform field sobriety evaluations.
2. DUI crash investigation procedures will be, in part, the same as those procedures for a DUI traffic stop.

F. Fatalities

1. In any serious injury or fatal crash, the supervisor will immediately contact the Field Commander who will then contact the Accident Reconstruction Team (ART) OIC. The ART OIC, or designee, will determine if response by the ART is warranted.
2. The on-scene units shall safe-guard the accident scene and protect any potential evidence, particularly DNA evidence, until advised otherwise by a crash investigator. An ART member will respond quickly and safely as possible and will be in charge of the scene upon arrival, with the patrol unit remaining as long as necessary to aid with the scene.
3. The initial officer should ensure completion of forms 850A and 850B. If the accident involves a fatality form 851 shall be completed as well. If the ART is called they will complete the diagram portion of the 850A.

G. Hazardous Material Crashes

1. The first officer on the scene shall immediately call fire personnel and advise his or her supervisor of the circumstances and shall remain OIC until relieved by a higher-ranking officer;
2. Provide fire suppression services within the limits of their training and equipment until properly relieved by fire personnel;
3. When it has been determined that there are hazardous materials involved, the officer's primary responsibility will be the security of the scene or

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building and limiting anyone other than Fire or AMR personnel from entering the area;

4. The Topeka Fire Department shall assume command of rescue efforts, evacuation and containment. The Topeka Police Department shall be responsible for any criminal investigation;
5. Officers shall isolate the hazard area and evacuate non-essential personnel;
6. Officers shall conduct preliminary hazard identification, (spill, leak, fire), and identify vehicle and container placards, whenever possible;
7. Officers may utilize the "Emergency Response Guidebook" provided to identify any potential hazardous materials;
8. All information shall be relayed to the SCECC;
9. Only properly trained and equipped personnel will attempt to enter areas where hazardous materials may be encountered; and
10. Officers shall not perform a rescue mission where toxic materials are involved.

H. Hit and Run Crashes

1. All "hit and run" crashes will also be reported on the Vehicle Accident Report form, with a checkmark in the "hit and run" box. This includes private property hit and run crashes.
2. Crash investigations for hit and run crashes will be handled in the same manner as other crash investigations. The officer shall collect any items of an evidentiary nature, such as notes left by witnesses on parked vehicles.
3. Any vehicle impounded as a result of a hit and run crash shall be done so as evidence of a crime. Any impounded vehicle shall always be checked for stolen vehicle reports.
4. When completing the accident report on a hit and run, complete all portions of the report form, including owner information, if known. The narrative section should include all known suspect information, such as:
 - a. Tag numbers or partial tag numbers;
 - b. Possible driver and/or occupant description; and
 - c. Potential issues or specifications about the vehicle, e.g., stickers.
5. When practical, officers shall make an effort to locate the hit and run vehicle and/or driver of the suspect vehicle if the vehicle's registration is within the city limits. If the driver is located, the reporting officer will make the appropriate charges.
6. If an officer is dispatched to a private property accident and then determines the accident does not meet the reporting requirements of this section, the officers will assist the drivers with exchanging insurance information.

I. Private Property Crashes

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1. The Department will respond to crashes occurring on private property only if:
 - a. There is injury or death;
 - 1) A private property fatality accident will require a state accident report.
 - b. Involves an intoxicated person;
 - 1) A private property accident involving an intoxicated person will require a state accident report.
 - c. Hit & Run Accident;
 - 1) A private property Hit & Run accident will require a state accident report.
 - d. A disturbance is involved; or
 - e. Otherwise directed by a supervisor.
2. If an officer is dispatched to a private property accident and then determines the accident does not meet the reporting requirements of this section, the officers will assist the drivers with exchanging insurance information.

5.2.5 WALK-IN REPORTS

- A. The Field Commander may declare a walk-in reporting accident investigation phase when the call load exceeds, or is reasonably expected to exceed the capabilities of the available personnel. This can be due to:
 1. Weather conditions;
 2. Natural disasters;
 3. Man-made disasters; or
 4. Other emergency situations.
- B. During implementation of the walk-in accident investigation phase, officers will investigate only injury, DUI-related cases, vehicle blocking roadway accidents and hit run accidents at the scene. All others will be referred to the Department at their earliest convenience where a Vehicle Accident report can be made.
- C. Walk-in accident investigation procedures do not apply to city vehicle accidents.
- D. The Field Commander shall declare the walk-in accident investigation phase.
- E. SCECC shall announce the walk-in accident investigation phase over the radio.

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- F. The Public Information Officer shall notify the news media of the implementation of the phase during normal duty hours. The Field Commander shall make media notifications outside normal office hours.

5.2.6 ACCIDENT RECONSTRUCTION TEAM (ART)

- A. If the determination is made that ART assistance is needed, the ART OIC or designee shall:
1. Call out team members as needed;
 2. Respond to all scenes when requested;
 3. Assume command at the scene;
 4. Assign tasks to ensure all aspects of a follow up investigation are completed; and
 5. Be responsible for the investigation of the accident they are called out to.
- B. The ART will respond to:
1. All fatality accidents; Fatality accidents involving only one vehicle and one occupant will require the ART OIC to be notified to determine if a call back is needed.
 2. All Department employees, operating a Department vehicle, who are involved in a serious injury, death, or high property loss accident;
 3. Assist other law enforcement agencies when requested; and
 4. Any other serious accident or event when requested by the Field Commander.
- C. The ART shall complete a thorough investigation of the incident and forward reports to the appropriate prosecuting agency for review. This may include, but is not limited to:
1. Victim/suspect activities prior to collision;
 2. Victim/suspect condition at time of collision;
 3. Vehicle condition pre & post collision;
 4. Scene inspection for contributing factors;
 5. Collection of all evidence and property;
 6. Preparation of diagram;
 7. Calculations of speed and time flow; and
 8. Compiling all reports and summary for prosecution.
- D. ART is available on a 24-hour basis to process the accident scene.