

	The University of North Carolina Greensboro Police Department	
	General Order 1-4.7	Motor Vehicle Collisions

Purpose and Scope

Sworn and non-sworn employees of the UNCG Police Department must operate departmental or other assigned vehicles in a safe, efficient, and professional manner while obeying all traffic laws.

Policy

In an effort to minimize the frequency of motor vehicle collisions involving departmental vehicles, the department will hold accountable employees who are involved in a preventable motor vehicle collision. The department will strive to correct any identified driving related deficiencies through additional training, guidance, counseling, and if appropriate, disciplinary actions.

A. Definitions

- Motor Vehicle Collision – an event that results in death, injury, or property damage directly attributable to an impact from a motor vehicle.
- Preventable Collision – a motor vehicle collision that occurred because the driver failed to do everything they reasonably could have to avoid it.
- Non-Preventable Collision – a motor vehicle collision involving an operator who did not violate any traffic law, who operated the motor vehicle with due care, and whose actions did not contribute in any way to the motor vehicle collision.
- Injury – injury to any person caused directly or indirectly by, or aggravated by, a motor vehicle collision.
- Extenuating Circumstances – factors outside the motor vehicle operator's control leading up to or attending the motor vehicle collision which tend to mitigate or reduce the operator's culpability.

B. Collision Investigations

All departmental vehicles involved in a motor vehicle collision will be investigated by law enforcement. This includes vehicles which are owned, leased, or borrowed for use by the agency and its personnel or any other vehicle operated in the performance of the employee's duties.

The officer assigned to investigate a department motor vehicle collision will complete the DMV-349

collision report prior to ending their shift. If additional follow up is needed, a preliminary report will be submitted and supplemental reports will be filed as needed.

If the collision is investigated by the Greensboro Police Department (GPD), a UNCG Police supervisor will request a copy of the DMV-349 from GPD once completed.

A motor vehicle collision involving non-ranking or non-sworn department employees will be investigated by an on duty supervisor unless otherwise noted in this policy.

A motor vehicle collision involving a department supervisor will be investigated by an officer of equal or higher rank. If no personnel of equal or higher rank are available to conduct the investigation, GPD will be contacted and requested to investigate the crash.

GPD must be requested to investigate the collision if:

- There is evident injury to any person, or
- The responding supervisor estimates property damage to total over \$10,000.
- The collision involves a death, or
- There is suspicion the involved employee is impaired.

Refer to the Officer Involved Critical Incidents directive for motor vehicle collisions resulting in significant property damage, serious injuries, and/or fatalities.

Enforcement guidelines will be the same for department members as they are for the general public. The investigating officer will initiate any necessary enforcement action.

All departmental motor vehicle collisions require the completion of a North Carolina DMV-349 if they meet the following criteria:

- results in a fatality, or
- a non-fatal personal injury, or
- property damage of \$1,000 or greater, or
- property damage of any amount to a vehicle seized.

The amount of property damage will be determined based on an estimate provided by an approved body shop.

C. Employee Responsibilities

Any department employee involved in a motor vehicle collision while operating a department vehicle, regardless of duty status, injury, or amount of damage, must immediately report the collision to their immediate supervisor.

Department employees will make no written or verbal statements regarding the fault or cause of the crash except to the investigating officer, supervisor, risk manager, or other appropriate department or City official except where required by law.

D. Supervisor Responsibilities

An on duty sworn supervisor will respond to the scene of all departmental motor vehicle collisions to ensure that a thorough crash investigation is initiated, including a complete motor vehicle crash report, eyewitness interviews, photographs, measurements, and any additional collection of evidence.

The responding supervisor must complete a collision packet documenting the motor vehicle collision. This packet and its attachments will include, at a minimum:

- A complete and accurate DMV-349 collision report, if applicable;
- Worker's Compensation paperwork, if applicable;
- Supervisor Investigative Review;
- Statements from all witnesses and involved parties;
- Review MVR camera footage;
- Color photographs;
- Post-collision documentation, if applicable (i.e. medical related incidents, suspected impairment; refer to the Drug and Alcohol Free Workplace General Order); and
- Any other relevant information or documents.

E. Professional Standards Review

Professional Standards will conduct a review of all collision investigations and make a determination and assign the appropriate factors as to:

- Whether the crash was preventable or non-preventable on the part of the employee,
- Causative factor(s) involved,
- Injury factors involved,
- Damage factors, and
- The existence of any extenuating circumstances.

F. Collision Factors

Injury Factor: The most serious injury resulting from the motor vehicle collision will be used to determine the injury factor. Injury to the responsible employee will not be used to calculate the injury factor. Choose one based on the most serious injury sustained as a result of the motor vehicle collision:

- No evident injury: No visible or evident injury
- Evident injury or complaint of injury: Injury which is evident or reported at the scene, for example: pain, bruises, swelling, limping, or soreness. Such injuries would not prevent the person from carrying on his/her normal activities.
- Disabling injury: An injury obviously serious enough to prevent the person from performing normal activities. For example: broken bone(s), significant bleeding, or unconsciousness.
- Fatal injury

Damage Factor: Cost of damage to department owned and leased vehicles and private party vehicles will be determined by repair estimates obtained through a repair shop and not the estimate stated in DMV-349.

Causative Factors: These factors will be determined by the investigating officer utilizing codes provided by the DMV-349 collision report, and based on the most serious causative factor contributing to the motor vehicle collision:

- Improper backing
- Aggressive driving
- Excessive speed
- Texting while driving
- Disregard signal or stop sign
- Too fast for road conditions
- Mechanical/equipment defect(s) known to driver
- Improper Passing
- Improper turn
- Fail to Yield right-of-way
- Fail to reduce speed
- Follow too close
- Drove left of center
- Improper lane change
- Driver inattention
- Other

Additional Factors:

- Prior preventable collisions during the previous 18 months
- Extenuating Circumstances - examples of possible extenuating circumstances include:
 - Mechanical / Equipment defect(s) unknown to driver

- Debris on roadway
- Animals/pedestrians on roadway
- Road defects
- Police related distractions such as gunshots, screaming, weapons present, officers in need of assistance on scene, etc.
- Actions taken to prevent a more serious collision
- Weather
- Other

G. Personnel Actions

All motor vehicle collisions will go before the Chain of Command Review Board. Final decision regarding discipline resulting from a motor vehicle collision is completely within the Chief of Police's discretion, after consultation with the University's Human Resources Department, and will follow appropriate disciplinary policies established by the North Carolina Office of State Human Resources and/or the University of North Carolina System Office.