



TRAFFIC COLLISION INVESTIGATION

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I. INVESTIGATIVE RESPONSIBILITY

See Index Code 1906.1 for fatal collision procedures.

A. Traffic Safety Section

1. All fatal collisions and collisions resulting in injuries to any party which can reasonably be presumed to be incompatible with life will be investigated by the Traffic Safety Section. The commander of the Traffic Safety Section, or designee, will decide whether a Traffic Safety accident specialist will investigate, after considering the information relayed from the scene. In cases where Traffic Safety does not respond, the responsibility for investigation rests with a patrol officer.
2. The Traffic Safety Section will *respond to all* departmental collisions involving death or serious personal injury. *In collisions involving death or likelihood of death, the Traffic Safety Commander or his/her designee will notify the Maryland State Police Headquarters Duty Officer (410-653-4474) of the incident. The Traffic Safety Supervisor will brief the Office of the Attorney General's Independent Investigations Division (IID)/Maryland State Police Investigators of the incident upon call back. The IID investigators will determine if they will respond out to investigate the collision.* The Traffic Safety Section will assist the Office of the Attorney General's Independent Investigations Division (IID)/Maryland State Police in investigating *departmental* collisions involving death or likelihood of death. *If the IID refuses to investigate the collision, then the Traffic Safety Section will investigate the collision.*

The commander of the Traffic Safety Section or his/her designee will be consulted prior to the dispatching of Traffic Safety personnel to the scene of departmental collisions not involving death or serious personal injury. He or she will exercise final authority regarding the involvement of Traffic Safety personnel in the investigation of these incidents.

B. Patrol

1. In the case of traffic collisions not meeting the criteria stated in paragraph I.A, the officer assigned to the patrol beat where the collision occurred is responsible for the collision investigation and report and is in charge of the collision scene, unless relieved by a field supervisor or a collision investigation specialist. Each patrol district will maintain a number of personnel who possess advanced collision investigation training (a collision investigation specialist). If a collision investigation specialist is assigned to an investigation, he or

she is responsible for the collision investigation and report, and is in charge of the collision scene unless relieved by a supervisor.

2. If the beat officer is unavailable, the Communications Section will dispatch the nearest and/or next available officer to assume the responsibility. A patrol supervisor has the authority to countermand dispatch decisions as well as the authority to assume total responsibility for the collision investigation.

II. COLLISION RESPONSE

A. It is the department's policy that a uniformed police officer will respond to all known or reported motor vehicle traffic collisions. The closest available officer will be dispatched, regardless of assignment. Responsibility for conducting the investigation will be assigned after the collision scene has been stabilized.

B. Collisions with any of the following conditions will receive priority:

1. Death or injury;
2. Hit and run;
3. Impairment of an operator due to alcohol or drugs;
4. Damage to public vehicles or property;
5. Hazardous materials;
6. Disturbances between principals;
7. Major traffic congestion as a result of the collision; or
8. Damage to vehicles to the extent towing is required.

However, it is emphasized that officers will respond to all collisions that are known or reported to the department.

C. Field supervisors may authorize alternative responses to minor property damage collisions during periods of intensely inclement weather, patrol personnel shortages, or high volumes of calls for service. However, officers will eventually respond to the scene of any collision upon the request of a driver or owner.

III. FIRST OFFICER ON THE SCENE

A. All Collisions

The first officer at the scene of a collision is responsible for:

1. Administering emergency medical care and providing basic life support;
2. Summoning ambulance and/or additional assistance (e.g., officers, rescue squad, tow truck, etc.);
3. Protecting the collision scene;
4. Preserving short-lived evidence;
5. Establishing a safe traffic pattern around the scene;
6. Locating witnesses and recording pertinent information; and
7. Expediting the removal from the roadway of vehicles, persons, and debris.

Flares, reflectors, or traffic cones will be used as available to protect the scene and detour traffic. Every effort will be made to restore the free flow of traffic expeditiously, especially in cases of minor property damage only.

B. Collisions Involving Injuries, Fire Hazards or Hazardous Materials

If the collision involves injuries, fire hazards or hazardous materials, the officer will:

1. Notify Communications of the:
 - a. Exact location of collision/incident
 - b. Extent, nature and number of injuries
 - c. Type and number of vehicles involved
 - d. Type, number and characteristics of the hazardous materials, if any
 - e. Special equipment or personnel requirements; need for expert or technical assistance
 - f. Unsafe or impassable roads
2. Initiate basic life support/emergency medical care until relieved by fire/rescue personnel

3. Evacuate nonessential personnel
4. Restrict access to hazardous materials by establishing safety lines at a radius of at least 1500 feet; **only properly trained and equipped officers may attempt to enter areas where hazardous materials may be encountered.**

IV. COLLISION INVESTIGATION & REPORTING

A. On Public Highways or Private Property Open to the Public

Officers will investigate and complete an ACRS (Automated Crash Reporting System) report, in addition to any other required reports for any traffic collision occurring on public thoroughfares (i.e., state or county highways, streets, roads, alleys) or on private property open to the public (i.e., shopping centers, parking lots, schools, etc.), when any of the following conditions exist:

1. Death or injury is expected, imminent, or known to exist;
2. Hit and run, as explained in the next paragraph;
3. An involved driver is believed to be intoxicated or under the influence of alcohol or drugs;
4. Damage to government vehicles or property;
5. Collisions involving hazardous materials;
6. Any vehicle is damaged to the extent that towing is required;
7. In any collision where the investigating officer charges any party with a violation.

B. Hit and Run Collisions Involving Property Damage

Hit and run collisions involving property damage will be investigated and reported as follows:

1. All hit-and-run collisions involving property damage where there is information regarding a suspect vehicle will be fully investigated and reported.
2. In hit-and-run collisions involving property damage where there is no suspect vehicle information, the officer will advise the complainant that Maryland motor vehicle law requires a report to be submitted only in cases involving death and bodily injury. The officer will provide the complainant with an Incident Number for insurance purposes.

C. Hit and Run Collisions Involving Injury or Death

Hit and run collisions involving injury or death will be investigated and reported as follows:

1. All hit-and-run collisions involving injury or death will be fully investigated and reported.
2. In hit-and-run collisions involving serious bodily injury or death, investigating officers will determine if there is a need to issue a “Yellow Alert” described below:

a. Maryland’s Yellow Alert Program

A system for rapid dissemination of information to assist in locating and apprehending a missing suspect who fails to remain at the scene of a traffic collision that might result in serious bodily injury or death.

1. **Missing Suspect:** an individual whose whereabouts are unknown; who is suspected of a violation of the Transportation Article relating to failing to remain at the scene of a traffic collision that might result in serious bodily injury or death; and whose vehicle the reporting law enforcement agency is able to describe, including any information about the vehicle’s registration plate.

2. **Serious Bodily Injury:** an injury that creates a substantial risk of death; causes serious permanent or serious protracted disfigurement; causes serious permanent or serious protracted loss of the function of any body part, organ, or mental faculty; or causes serious permanent or serious protracted impairment of the function of any bodily member or organ.

- b. Where there is enough descriptive information about a suspect vehicle, the investigating officer(s) will take the following actions, if releasing the information does not compromise the integrity of the investigation:

1. Request a Yellow Alert activation through the Maryland State Police Headquarters Duty Officer (410-653-4200).
2. Immediately notify the Maryland State Police Headquarters Duty Officer when the suspect or vehicle is located. Note: If a missing suspect or vehicle has not been located within 24 hours, the alert is self-canceling.

C. Private Property

Collisions occurring on privately owned property not open to the general public, which result in death or personal injury will be investigated in the same manner as a "suspicious death" or "injured subject" case and documented on an incident report. Parties involved in a property damage collision on private property will be advised to file the appropriate reports with the MVA, if applicable, or with their insurance companies. If probable cause to believe a crime other than a traffic violation caused the death or injury of any party, the investigator will notify the Criminal Investigation Division for investigative assistance.

V. REPORTING METHODS

A. Collisions requiring an investigation and written report will be documented using the Maryland Automated Crash Reporting System (ACRS) with supplement reports completed in the records management system as necessary. Data from the ACRS system is imported into the records management system several times a day and referenced in the records management system by Report Number, however the ACRS system should be referred to for the complete ACRS report.

B. Officers dispatched to minor property damage collisions which do not require an investigative report complete an exchange of information via the E-TIX system, if available. The department form, PD 382, may be utilized only in cases when the E-TIX system is unavailable. Officers shall advise the dispatcher, "No report - information exchanged." The dispatcher will record this information in the CAD system.

C. In all collisions, including those where information is exchanged with no report, the investigating officer will attempt to verify that the operators involved have valid driver's licenses, and that the involved vehicles are properly registered.

VI. AT-SCENE COLLISION INFORMATION COLLECTION

The following procedures will be accomplished during all collision investigations for which a written report is required.

- A. Interview principals and witnesses, and record pertinent information;
- B. Examine and record vehicle and property damage;
- C. Examine and record the effects of the collision on the roadway;
- D. Take measurements; (collisions involving death, serious injury or extensive property damage)
- E. Take photographs; (collisions involving death, serious injury or extensive property damage)
- F. Collect and preserve evidence; (collisions involving death, serious injury or extensive property damage)
- F. List all occupants of the vehicles involved and the injuries (if any) sustained;
- G. Ensure the exchange of information among principals of the collision;
- H. Attempt to verify that the operators involved have valid driver's licenses, and that the involved vehicles are properly registered and insured.

VII. FOLLOW-UP PROCEDURES

The investigator is responsible for preparing as complete an investigative report as possible, with consideration given to the severity of the collision. Collisions resulting in death, serious injury, or extensive property damage require the following follow-up actions:

- A. Obtaining and recording formal statements from drivers and witnesses;
- B. Preparing and submitting formal reports to the State's Attorney's office to support criminal charges;
- C. Collision reconstruction and/or vehicle mechanical inspection services; such services can be arranged through Traffic Safety;
- D. Off-scene data collection, if necessary.

VIII. SAFEGUARD OF PERSONAL PROPERTY

The officer in charge of the investigation will ensure that all vehicles towed from the collision scene are inventoried before being removed. Valuables or items of personal property requiring added protection, such as money, jewelry, precious metals, or weapons, will be taken into police custody and stored, until the owner is able to reclaim them. See Index Codes 1201 & 1201.1.

IX. ENFORCEMENT ACTION

A. Fatal Collisions

1. It is the responsibility of the State's Attorney to review fatal collisions and place or authorize the placement of criminal and traffic charges against involved drivers, therefore, drivers involved in fatal collisions will not be charged with any offenses without consulting with the State's Attorney's Office. In cases of fatal accidents involving DWI/DUI, officers may detain the violator and conduct the chemical test and related paperwork. All procedures in Index Code 1905 will be followed.

2. If a person in a personal injury collision dies after citations are issued, the investigating officer will notify the State's Attorney's Office to Nolle Pros the charges and review the case per their fatal collision review policy.

B. Nonfatal Reportable Collisions

In nonfatal reportable collision investigations, whenever an investigating officer discovers or detects a violation of traffic law and all the elements of a particular violation are discernible, enforcement action should be taken. Enforcement discretion is discouraged when it is evident that a deliberate or flagrant violation of the traffic law caused or contributed to the accident. Supervisors will ensure that investigating officers are conducting thorough investigations and taking appropriate enforcement action.

X. PROPONENT UNIT: Traffic Safety Section.

XI. CANCELLATION: This directive cancels Index Code 1906, dated *11-15-21*.