

Traffic Crashes

501.1 PURPOSE AND SCOPE

This policy provides guidelines for responding to and investigating traffic crashes.

501.2 POLICY

It is the policy of the Elkton Police Department to respond to traffic crashes and to render or summon aid to injured victims as needed. The Department will investigate and prepare reports according to established minimum reporting requirements with the goal of reducing the occurrence of crashes by attempting to identify the cause of the crash and through enforcing applicable laws. Unless restricted by law, crash reports will be made available to the public upon request.

501.3 RESPONSE

Upon arriving at the scene, the responding member should assess the need for additional resources and summon assistance as appropriate. Generally, the member initially dispatched to the scene will be responsible for the investigation and report, if required, unless responsibility is reassigned by a supervisor.

A supervisor should be called to the scene when the incident:

- (a) Is within the jurisdiction of this department and there is:
 - 1. A life-threatening injury.
 - 2. A fatality.
 - 3. A Town vehicle involved.
 - 4. A Town official or employee involved.
 - 5. Involvement of an on- or off-duty member of this department.
- (b) Is within another jurisdiction and there is:
 - 1. A Town of Elkton vehicle involved.
 - 2. A Town of Elkton official involved.
 - 3. Involvement of an on-duty member of this department.

501.3.1 MEMBER RESPONSIBILITIES

Upon arriving at the scene, the responding member should consider and appropriately address:

- (a) Traffic direction and control.
- (b) Proper placement of emergency vehicles, cones, roadway flares or other devices if available to provide protection for members, the public and the scene.
- (c) First aid for any injured parties if it can be done safely.

Traffic Crashes

- (d) The potential for involvement of hazardous materials.
- (e) The need for additional support as necessary (e.g., traffic control, emergency medical services, fire department, HAZMAT, tow vehicles).
- (f) Clearance and cleanup of the roadway.

501.4 NOTIFICATION

If a traffic crash involves a life-threatening injury or fatality, the responding officer shall notify a supervisor, or if unavailable, the Duty Officer. The Duty Officer or any supervisor may assign a traffic investigator or other appropriate personnel to investigate the incident. The Duty Officer will ensure notification is made to department command staff in accordance with the Major Incident Notification Policy.

501.4.1 NOTIFICATION OF FAMILY

In the event of a life-threatening injury or fatality, the supervisor responsible for the incident should ensure notification of the victim's immediate family or coordinate such notification with the Medical Examiner, department chaplain or another suitable person. Notification should be made as soon as practicable following positive identification of the victim.

The identity of any person seriously injured or deceased in a traffic crash should not be released until notification is made to the victim's immediate family.

In the event of a fatality, members involved in notification should ensure that family members of the victim are provided with a victim's representation notification form, and advised of their right to file the form, as appropriate (Md. Code TR § 12-206.1). The form allows family members to request notice of a hearing on a moving violation related to the victim's death.

501.5 MINIMUM REPORTING REQUIREMENTS

A crash report shall be taken when (Md. Code TR § 20-107; Md. Code TR § 20-113):

- (a) A fatality, any injury (including complaint of pain), driving under the influence, or hit and run is involved.
- (b) An on-duty member of the Town of Elkton is involved.
- (c) The crash results in any damage to any Town-owned or leased vehicle.
- (d) The crash involves any other public agency driver or vehicle.
- (e) There is damage to public property.
- (f) The crash involves a public or private school bus.
- (g) There is damage to any vehicle to the extent that towing is required.
- (h) Prosecution or follow-up investigation is contemplated.
- (i) Directed by a supervisor.

Elkton Police Department

Elkton Police Department Policy Manual

Traffic Crashes

501.5.1 PRIVATE PROPERTY

Generally, reports should not be taken when a traffic crash occurs on private property unless there is an injury or fatality, a hit-and-run violation or other traffic law violation. Members may provide assistance to motorists as a public service, such as exchanging information and arranging for the removal of the vehicles.

501.5.2 TOWN VEHICLE INVOLVED

A traffic crash report shall be taken when a Town vehicle is involved in a traffic crash that results in property damage or injury.

A general information report may be taken in lieu of a traffic crash report at the direction of a supervisor when the incident occurs entirely on private property or does not involve another vehicle.

Whenever there is damage to a Town vehicle, a vehicle damage report shall be completed and forwarded to the appropriate Bureau Commander. The traffic investigator or supervisor at the scene should ensure that photographs are taken of the scene and the vehicle damage.

501.5.3 INJURED ANIMALS

Department members should refer to the Animal Control Policy and make appropriate notifications when a traffic crash involves the disposition of an injured animal or when learning that a domestic animal has been struck by a vehicle (Md. Code TR § 20-106(b)).

501.6 INVESTIGATION

When a traffic crash meets minimum reporting requirements the investigation should include, at a minimum:

- (a) Identification and interview of all involved parties.
- (b) Identification and interview of any witnesses.
- (c) A determination of whether a violation of law has occurred and the appropriate enforcement action.
- (d) Identification and protection of items of apparent evidentiary value.
- (e) Documentation of the incident as necessary (e.g., statements, measurements, photographs, collection of evidence and reporting) on the appropriate forms.

501.6.1 INVESTIGATION BY OUTSIDE LAW ENFORCEMENT AGENCY

The Duty Officer should request that the Maryland State Police (MSP) or other outside law enforcement agency investigate and complete a traffic crash investigation when a life-threatening injury or fatal traffic crash/collision occurs within the jurisdiction of the Elkton Police Department and involves:

- (a) An on- or off-duty member of the Department.
- (b) An on- or off-duty official or employee of the Town of Elkton.

Elkton Police Department

Elkton Police Department Policy Manual

Traffic Crashes

Department members shall promptly notify a supervisor when any department vehicle is involved in a traffic crash. The traffic crash investigation and report shall be completed by the agency having jurisdiction.

501.6.2 ACCIDENT RECONSTRUCTION

If it is determined that a reconstruction investigation is necessary, the Reconstructionist will respond to the scene and assume control of the investigation and conduct any follow-up investigations required, however the initial officer on scene will still be responsible for the initial investigation.

A Reconstructionist shall respond for all fatalities and serious/life-threatening injuries.

501.7 ENFORCEMENT ACTION

After a thorough investigation in which physical evidence or independent witness statements indicate that a violation of a traffic law contributed to the accident, authorized members should issue a citation or arrest the offending driver, as appropriate.

More serious violations, such as driving under the influence of drugs or alcohol, vehicular manslaughter or other felonies, shall be enforced. If a driver who is subject to enforcement action is admitted to a hospital, a supervisor shall be contacted to determine the best enforcement option.

501.8 REPORTS

Department members shall utilize forms or electronic systems approved by the MSP as required for the reporting of traffic crashes. All such reports shall be forwarded to the Patrol Division or submitted electronically for approval and filing.

501.8.1 REPORT MODIFICATION

A change or modification of a written report that alters a material fact in the report may be made only by the member who prepared the report, and only prior to its approval and distribution. Once a report has been approved and distributed, corrections shall only be made by way of a written supplemental report. A written supplemental report may be made by any authorized member.

501.8.2 DUTY OFFICER RESPONSIBILITIES

The responsibilities of the Duty Officer include, but are not limited to forwarding traffic crash reports to the MSP (Md. Code TR § 20-107(f)).