



GENERAL ORDER 621.1

Traffic Collision Investigation



I. DEPARTMENT POLICY

It is the policy of the Department to respond to the scene of traffic collisions occurring within the City that involve any of the following:

- **Death or injury;**
- **Hit-and-Run collisions that have just occurred, or those that have occurred earlier, if the striking vehicle or struck vehicle has not been moved, or if there is a witness or other evidence from which an officer can initiate an investigation and report;**
- **Impairment of a vehicle's operator due to alcohol and/or drugs;**
- **Damage to publicly-owned vehicles or property;**
- **Hazardous materials;**
- **Disturbances between principals;**
- **Major traffic congestion caused by the collision; and/or**
- **Property damage**

II. RESPONSE TO THE SCENE

A. Quick, But Safe Response

1. One or more officers should respond safely to the scene, in accordance with the designated response to provide emergency services, investigate the collision, record short-lived evidence, and restore the normal flow of traffic.
2. In less serious collisions, officer response should be influenced

by the workload and availability of officers.

3. The first-arriving officer at the scene will assume command of the scene and will direct other officers to the scene or to locations in the vicinity to assist with traffic/crowd control, etc.
4. If an MCP specialized unit is called to the scene, command will be relinquished to the highest-ranking officer from that unit.

III. AT-SCENE ACTIVITIES

A. Minor Property Damage Collisions

1. Upon the officer's arrival, if the collision is determined to be a property damage collision where the vehicles are operable, the parties involved should move their vehicles to a safe location nearby where the officer can assist with the exchange of information. A police report is not required with these circumstances.

B. Personal Injury and Fatal Collisions

1. The first-arriving officer will identify the number, location, and nature of injured persons and administer appropriate emergency medical care and provide basic life support or begin advanced life support.
2. If Fire/Rescue equipment is needed, it will be immediately summoned via PSCC. The officer requesting Fire/Rescue equipment will describe for the dispatcher, in as much detail as possible, the number of persons injured, nature and severity of injuries.
3. The Fire Department also recommends that in the event "live" wires are atop a vehicle, the officer should have the occupants stay in the vehicle, and make no attempt to get out.
4. Officers providing basic or advanced life support are encouraged to wear rubber "examination" gloves, especially when attempting to control bleeding.

C. Fire Hazards

1. Officers approaching or arriving at the scene will identify any actual and potential fire hazards, and will immediately communicate this information to Fire/Rescue via PSCC.

2. When communicating the nature of the fire hazard to PSCC, officers will be specific in order to ensure an appropriate level of fire apparatus response. Examples of hazards would include:
 - **Leakage of fuels and/or other flammable liquids;**
 - **Smoke and/or fire visible;**
 - **A strange odor coming from the vehicle(s); and/or**
 - **A "hissing" noise, or a noise of a similar nature, that would indicate the possibility of an explosion.**

D. Hazardous Materials

1. If hazardous materials are involved, officers should refer to their Emergency Response Guidebook to identify the material, in order to take the appropriate actions prior to the Fire Department's arrival.
2. Officers must make PSCC aware of the fact that hazardous materials are involved, and what type, in order to ensure the appropriate level of Fire Department/ Hazardous Incident Response Team response.
3. To ensure officer and bystander safety, follow the below listed United States Department of Transportation recommendations for "first-responders":
 - **APPROACH CAUTIOUSLY - resist the urge to rush in to the actual scene because police officers are not adequately equipped with self-contained breathing apparatus or protective clothing. Therefore, an officer cannot help others until the officer knows exactly what they are facing.**
 - **IDENTIFY THE HAZARD(S) - placards, container labels, shipping papers and/or knowledgeable persons on the scene are valuable sources of information. Officers MUST evaluate all of them and then consult the recommended Emergency Response Guide Book page so that the officer and other persons do not get placed at risk.**
 - **SECURE THE SCENE - without entering the**

immediate hazard area, the officer should do whatever is reasonable and appropriate to isolate the area and assure the safety of the officer, other persons, and the environment. Move and keep people back away from the scene and the perimeter. Allow enough room to move and remove necessary equipment to control the scene.

- **OBTAIN ASSISTANCE** - by notifying PSCC to have other officers respond, the Hazardous Incident Response Team respond, Field-Comm 1 or Field-Comm 2 respond, if necessary, etc.
- **ABOVE ALL** - do not walk into or touch spilled/leaked material(s). Avoid the inhalation of fumes, smoke, and vapors, even if no hazardous materials are known to be involved. Do not assume that gases or vapors are harmless if no odor is present.

4. Be particularly cognizant of where the police vehicle is positioned/parked in relation to the scene, as the vehicle could provide a means of ignition for a spilled/leaking substance and/or vapor.
5. Avoid using road flares, since they could provide a source of ignition.
6. If a vaporous cloud is prevalent, bystanders should be kept as far back as possible, and should be kept upwind. It may be safer to keep people inside their homes or buildings instead of evacuating them, depending upon the situation, and the material(s) involved.

E. Scene Protection

1. After the scene has been stabilized, efforts must be made to preserve short-lived evidence and to otherwise protect the scene.
2. The officer in-charge of the scene will direct where they want additional officers and for what purpose.
3. If the use of flares is safe and appropriate, a traffic pattern around the scene should be established.
4. If flares are not safe, traffic cones should be used.
5. Police vehicles should be positioned in such a manner that they

sufficiently protect the scene, without unnecessarily impeding the traffic pattern established around the scene.

F. Collecting Information

1. After the collision scene has been stabilized, and it is determined that a report is required, the investigating officer can begin to collect as much information as possible in order to begin an investigation and complete a report. If it appears that the collision may result in a fatality or life threatening injuries, the MCP Collision Reconstruction Unit (CRU) will be notified. When CRU is notified, the scene will be secured until their arrival.
2. When interviewing driver(s), witness(s), vehicle occupants, or anyone else with knowledge of the collision, the investigating officer should separate the witnesses so that one witness does not influence another, and so that they can be interviewed individually.

G. Technical Assistance and Follow Up

1. In a particularly serious collision involving severe injuries, fatalities, multiple vehicles, etc., it may be necessary to seek expert or technical assistance from photographers, surveyors, mechanics, physicians or safety seat inspectors/installers, and other specialists.
2. City Police collision reconstructionists are valuable resources for officers and can be contacted by cellular phone if an officer has a question or needs assistance.
3. Technical assistance can be provided by Public Works Department mechanics, and the City's Traffic Engineer.
4. If necessary, building inspectors can be summoned from the City's Code Enforcement Department.
5. Photographers, surveyors and other specialists not on the City's staff can be requested from Montgomery County.
6. The Maryland State Highway Administration's (SHA) District Engineer is located at 9300 Kenilworth Avenue, Greenbelt, Maryland, and can be reached at (301) 220-7300, (normal business hours), and 1-800-543-2515 (after hours) .
7. Maryland State Troopers assigned to the Automobile Safety Enforcement Division can be contacted through the State Police barracks at (410) 424-3787.

III. COLLISIONS REQUIRING A REPORT

A. M.A.A.R.S. Report to be Used for Reportable Collisions

1. A report in the format prescribed by the Maryland Automated Accident Reporting System (M.A.A.R.S.) will be completed and submitted by investigating officers in accordance with the M.A.A.R.S. Manual for those accidents that meet the criteria listed in this directive.
2. M.A.A.R.S. Reports will be submitted on or before the conclusion of the investigating officer's tour of duty if the collision meets at least one (1) of the criteria enumerated below.
 - **Fatal Collision** - *a collision in which at least one participant (driver, passenger, pedestrian, bicyclist, etc.) dies within 30 days of the collision date.*
 - **Personal Injury Collision** - *a collision involving incapacitating, non-incapacitating, and/or possible injuries.*
 - **Hit-and-Run Collision** - *that has just occurred, or has occurred earlier and the vehicle struck or striking vehicle has not been moved, or there is a witness or other physical evidence of any type warranting further investigation.*
 - **Property Damage Collision** - *that occurs on the public roadway, parking lots open to the public, or private property open to the general public for vehicular traffic (i.e. a shopping center, etc.), when any of the vehicles involved must be towed or cannot leave the scene under its own power, or cannot be driven from the scene safely.*
 - **Collision Involving D.W.I. / D.U.I.** - *includes a collision involving a driver's impairment due to alcohol and/or drugs, or involving other "must appear" traffic violations (i.e. driving while suspended, revoked, refused or canceled, or driving uninsured, etc.).*
 - **Collision Involving HAZMAT**
 - **Collision Involving any Government-Owned Vehicle or Property**

IV. COLLISIONS FOR WHICH A M.A.A.R.S. REPORT IS DISCRETIONARY

1. Collisions not covered in this or other directives need not be reported or investigated, unless, in the officer's discretion, the completion of a M.A.A.R.S. Report by the officer would be prudent.

V. COLLISIONS ON PRIVATE PROPERTY NOT OPEN TO THE PUBLIC

A. M.A.A.R.S. Report May Be Appropriate

1. For collisions occurring on private property not open to the public for vehicular traffic, a M.A.A.R.S. Report is not generally written, but the officer should refer to the M.A.A.R.S. Manual for guidance.
2. If the investigating officer believes the nature and/or severity of the collision should be documented, the investigating officer should write a M.A.A.R.S. report describing all circumstances.

VI. WHEN COLLISION REPORTS ARE SUSPENDED

A. Response to Scene Still Required

1. In the event of severe weather, or other extraordinary circumstances, GPD or MCP command-level personnel have the authority to suspend the reporting requirement for property damage collisions that would usually require a report.
2. If the writing of property damage collision reports is suspended, *officers will still respond* safely to the collision scene and will check for injuries and assist the participants exchange pertinent information.
3. Officers will explain that due to the severe weather, and in order to keep officers available to respond to incidents requiring an emergency response, the writing of collision reports has been suspended.
4. If a participant claims to be injured, an investigation will be

conducted, a M.A.A.R.S. Report will be written, and, if deemed appropriate, charges placed for violations that caused or contributed to the collision.

VII. COLLISIONS RESULTING IN DAMAGE TO UNATTENDED PROPERTY

A. Owner of Damaged Property to be Notified

1. In situations where a vehicle has damaged attended or unattended property, the responding officer shall make every reasonable effort to locate and notify the property owner of the damage and provide information concerning the driver responsible for the damage.

VIII. COLLISIONS INVOLVING GOVERNMENT-OWNED PROPERTY

A. Collision Resulting in Damage, Injury or Death

1. If a vehicle collides with any government-owned property resulting in damage, an investigation shall be conducted and will consist of completion of a M.A.A.R.S. Report and the photographing of the vehicle(s) involved and property damaged.

IX. FATAL TRAFFIC COLLISIONS

A. Fatal Injury Defined

1. A "fatal injury" is any injury that results in a death at the scene, at the hospital after having been transported from the scene, or within 30 days of the motor vehicle traffic collision.
2. After the scene has been secured by appropriate means, and it has been determined that the collision involves, or will potentially involve a fatality, notifications will be made as soon as practical, via PSCC, to the following:
 - **MCP and GPD Collision Reconstructionists;**
 - **Shift Supervisor and Command Staff; and**
 - **MCP Shift Supervisor and Car 10**

3. Collision reconstructionists are available to assist officers with questions, measurements and processing the scene. Generally, the MCP Collision Reconstructionist Unit (CRU) will be responsible for the investigation of the collision.
4. If collision reconstructionists are en-route, the scene should be secured until their arrival.
5. Photographs will be taken of fatal collision scenes, and serious personal injury collision scenes when there is a probability of death.
6. If MCP Forensic Services is en-route, the scene will be preserved for the F.S.S. Technician and should be photographed by the Technician, after consultation with the investigating officer.
7. The next-of-kin shall be notified in-person by the investigating officer as soon as possible in all fatal and serious personal injury collisions, unless they are relieved of that responsibility by a member of the MCP Collision Reconstruction Unit, or a specialized investigator.
8. When the investigating officer believes a mechanical defect contributed to the cause of the collision, the officer should contact via telephone the Automobile Safety Enforcement Division of the Maryland State Police at (410) 424-3787.
9. In the event a death(s) occurs at any time after the original report has been completed, the investigating officer will supplement the report and reference the original report's pre-printed number in the Supplement.

B. Placing Charges

1. In the event charges are anticipated by the investigating officer in a fatal or serious personal injury collision, they will consult with the designated State's Attorney as soon as possible to determine if any charges are to be placed, and by what means (citation, indictment, etc.) see General Order 607.4 - Notification of State's Attorney's Office.

X. ISSUING CITATIONS

A. Issuance Based on Probable Cause

1. Title 26, Sub-Title 201 of the Maryland Transportation Article (TA), authorizes a police officer to charge a person with a violation of the Maryland Vehicle Law if the officer has *probable cause* to believe that the person has committed or is committing the violation. TA 26-201 also specifies that the charges to be placed shall be written on a traffic citation.
2. When an officer investigates a collision and completes a M.A.A.R.S. Report, the appropriate citation(s) should be issued (at the officer's discretion) if evidence exists to satisfy all elements of a particular offense(s).
3. Officers issuing citation(s) related to a traffic collision must check the "Witness" block in the upper left corner of the citation and complete the reverse side of the top copy of the citation to ensure that witnesses receive summonses to testify, if the matter is heard in traffic court.

XI. PROPERTY BELONGING TO COLLISION VICTIMS

A. Should Remain With Parties, If Possible

1. Property belonging to the parties in the collision that is plain view and/or of obvious value that is not permanently affixed to the vehicle should remain with the them, unless the property is contraband, seized as evidence, or its ownership is questionable or cannot be determined.
2. If a property owner is transported to a medical facility, the investigating officer should take the property to the facility and give it to the person when the officer responds to the hospital as part of the officer's follow-up activities.
3. If the property owner is unable to accept custody of the property, it can be given to family members or, as a last resort, submitted to the station Property Room for safe keeping until it can be reunited with its owner (see [General Order 1105.1](#)).

General Order:

621.1

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Mary Ann Viverette
Chief of Police

Date