



# SYKESVILLE POLICE DEPARTMENT

Traffic Crash Investigation and Reporting

General Order 6-31 Effective: 09/01/17

Authorized by: *Michael A. Spaulding* Chief of Police

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## I. PURPOSE

To provide officers with guidance on the investigation and reporting requirements for motor vehicle crashes.

## II. POLICY

The Sykesville Police Department will respond and investigate motor vehicle crashes in accordance with Maryland Law and the procedures in this directive.

## III. DEFINITIONS

**CRASH INVESTIGATION:** a process that requires crash reporting and the collection of evidence necessary to identify crash causes, charge violations of the Maryland Transportation Article and prepare for a successful prosecution, as appropriate.

**CRASH REPORTING:** the gathering of appropriate data and other information necessary to complete required reports, or for inclusion in the Interact RMS when no report is required.

**DISABLED:** related to a vehicle; damage that prevents the removal of the vehicle from the scene of the crash in its usual operating manner, after simple repairs.

**TOWN-OWNED:** property (including vehicles) owned, operated or leased by the Town of Sykesville.

**LATE-REPORTED CRASH:** a crash in which all involved persons have left the scene of the crash and one of the persons contacts the SPD at a later time to report the crash; does not include the removal of a vehicle from the roadway to a safe location to expedite traffic flow or ensure motorist safety.

## IV. PROCEDURES

### A. General Guidelines

1. Officers will ensure they have the necessary tools and items in their vehicles that will enable them to conduct basic traffic crash investigation including (e.g., digital camera, measuring tape, various forms).
2. All reported crashes will be documented using the Automated Crash Reporting System (ACRS) or designated as non-reportable (Code 89).

3. The MSP Crash Team maintains a list of on-call personnel who have advanced training in crash investigation and who may assist in the investigation of serious or fatal traffic crashes; Contact MSP Westminster for Crash Team call-out criteria and procedures.

B. Reportable Crashes

1. The Sykesville Police Department will investigate and complete an ACRS report for:
  - a. fatal crashes (after consultation with the on-call MSP Crash reconstructionist or member of MSP Crash Team);
  - b. personal injury crashes;
  - c. crashes involving a town-owned vehicle or property;
  - d. crashes involving any school bus;
  - e. crashes involving any vehicle transporting hazardous materials;
  - f. property damage crashes in which any vehicle involved becomes disabled;
  - g. crashes involving impaired drivers regardless of damage, personal injury or fault;
  - h. at the direction of a supervisor; and
  - i. hit-and-run crashes when:
    - (1) a witness exists, when a description or partial description of the striking vehicle is available; or
    - (2) physical evidence exists as a basis for possibly identifying the striking vehicle.
2. Regardless of whether or not a crash meets reportable criteria, officers will complete a report if requested to do so by the owner or operator of the vehicle, provided the crash is not a late-reported crash and a reasonable investigation can be conducted.
3. Unless a crash requires a protracted investigation, ACRS reports will be completed and submitted within 24 hours after it is assigned to the officer.

C. Non-Reportable Crashes

The SPD will not investigate, complete a report or determine fault for the following types of crashes:

1. property damage crashes in which none of the vehicles involved become disabled;
2. property damage crashes occurring on a public or private parking lots or other private property regardless of the extent of damage;
3. property damage hit-and-run crashes where no evidence exists regarding the striking vehicle;
4. crashes that occur when reporting requirements are suspended as described in subsection F, below; and
5. late-reported crashes where a reasonable investigation cannot be conducted.

D. Investigation of Property Damage Crashes

1. After the crash scene is stabilized, the investigating officer will identify and interview all involved drivers, passengers and witnesses to determine the circumstances of the crash.
  - a. When practical, written witness statements should be obtained.
  - b. Written statements will be obtained from all witnesses in serious crashes or those crashes involving SPD or town vehicles and school buses.
2. The investigating officer will have the vehicles involved in the crash removed from the traveled portion of the roadway as soon as the necessary physical evidence has been collected or photographed.
3. The investigating officer will examine and record all vehicle damage and physical evidence at the scene for inclusion in the report.
4. Officers needing assistance in the interpretation or collection of physical evidence should contact the MSP Crash Team or a regional crash investigator through their supervisor; Crash Team will generally not respond to property damage crashes absent unique circumstances.
5. If necessary, the position of the vehicles, point of impact and evidence should be marked on the roadway.

6. Measurements and photographs will be taken when the investigating officer believes they will assist in the investigation or the prosecution of charges resulting from the crash.
7. Regardless of whether the crash is reportable or not, officers will, at a minimum:
  - a. ensure that all operators of vehicles involved possess a valid driver's license, vehicle registration and valid vehicle insurance; and
  - b. place appropriate charges as a result of observing or witnessing violations not related to the cause of the particular crash.
8. Officers will ensure that all involved drivers exchange operator, vehicle and insurance information via a handwritten Information Exchange Form or an electronic form generated through the Electronic Ticket Information Exchange (E-TIX) software.
9. In a crash where there is damage to a third party's property:
  - a. an Information Exchange Form must be provided to the property owner or a representative who is on the scene.
  - b. if the property owner is not on the scene (e.g., when there is damage to utility poles or transformers), the third party must be notified of the damage.
10. For any damage to Town property that is part of the transportation infrastructure and not an immediate threat to the safety of the roadway (e.g., guardrails, light poles, barriers), officers will make contact with the Director of Public Works and inform him of the damage as soon as possible.
11. For any damage to State property that is part of the transportation infrastructure and not an immediate threat to the safety of the roadway (e.g., guardrails, light poles, barriers), officers will write the SPD case number directly on the damaged infrastructure with the Sharpie marker provided by the State Highway Administration. This will allow for follow-up by the SHA representative at a later date.
12. Towing of vehicles will be completed in accordance with G.O. 6-34.
13. If the vehicle will be left on the side of the roadway, the investigating officer will follow the procedures for unattended vehicles found in G.O. 6-34.

E. Investigation of Personal Injury Crashes

1. Officers will perform all of the duties in subsection D, above, and will also:
  - a. notify MSP Crash Team in cases of serious crashes; and
  - b. collect personal property of value that is left in the vehicle by any person who is transported to a hospital and note the final disposition of the property in the ACRS report.
    - (1) If permission is granted by the property owner, personal property may be given to a designated person or family member, or secured in the vehicle.
    - (2) If the owner is not able to give permission, the officer will store the vehicle and conduct an inventory in accordance with G.O. 6-34.
2. The investigating officer will conduct any necessary follow-up investigation including:
  - a. obtaining witness information and statements from witnesses no longer on scene;
  - b. obtaining outside technical or expert assistance from physicians, toxicologists or forensic experts;
  - c. obtaining the results from additional reports such as autopsy or toxicology reports;
  - d. requesting a crash reconstructionist;
  - e. obtaining background information on the parties involved in the crash; and
  - f. completing a press release at the direction of the on-duty supervisor.

F. Suspension of Reporting Requirements

1. In instances of extreme weather conditions such as a declared snow emergency, the on-duty supervisor may suspend the usual crash reporting requirements provided:

- a. there is no personal injury;
  - b. all vehicles involved are attended and the operators are present;
  - c. there is no third party damage or damage to Town or State property; and
  - d. there is no involvement of SPD or Town vehicles
2. In such instances, officers will provide for the exchange of information by all involved parties, ensure the roadway is clear of vehicles and ensure that the operators have made arrangements for transportation and/or towing.

**G. Charging of Drivers**

1. Unless the officer witnessed the crash, evidence of a violation must be established through a thorough investigation.
2. Mere opinion, belief or suspicion of a violation is not sufficient to warrant enforcement action.
3. If the investigating officer determines that sufficient evidence exists to prove that a violation of the Transportation Article contributed to a reportable crash, appropriate charges should be filed.
4. Violations occurring on private property require careful examination prior to charging and officers should consult the Transportation Article regarding applicability of specific charges in these cases.
5. Under no circumstances will charges be filed against any driver involved in a serious or fatal crash without prior consultation with the State's Attorney's Office; in these instances officers will:
  - a. complete the crash investigation and, when necessary, discuss it thoroughly with the State's Attorney; pretrial preparation will familiarize officers as to what testimony they will be expected to provide; and
  - b. not release any copies of unapproved reports that have not been approved by a Group Supervisor.

**V. CANCELLATIONS**

This General Order cancels and replaces the following policies: General Order 63.1, entitled Motor Vehicle Collision Reporting and Investigation, dated December 27, 2001.