



SYKESVILLE POLICE DEPARTMENT

Traffic Collisions Involving Town Vehicles

General Order 6-32 Effective: 09/01/17

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

I. PURPOSE

To provide the procedures for the reporting and investigation of motor vehicle collisions involving town owned vehicles.

II. POLICY

It is the policy of the Sykesville Police Department to fully investigate all traffic collisions involving town owned vehicles.

III. PROCEDURES

A. Sykesville Police Department Collision Investigations

1. Any member of this Office involved in a motor vehicle collision, no matter how minor, while operating or a passenger in a town vehicle shall immediately notify the Communications Center/headquarters of the incident. In addition, any officer involved shall provide any medical assistance necessary and request emergency apparatus if warranted.
2. Upon notification of the collision, notification will be made to the on-duty Patrol supervisor to respond. The on-scene supervisor or designee shall conduct the investigation. Sykesville Police Department vehicle collisions will be investigated by the on-duty supervisor.
3. In cases where there are any injuries to either the officer or civilian, the supervisor shall ensure that notification is made to the Chief of Police.
4. The investigator shall be responsible for conducting the investigation and completing the ACRS report. If the collision is of a minor nature, one-vehicle collision and damage to departmental vehicle only, the ACRS report may be waived. This will only be allowed after consultation by the on-duty supervisor and the Chief of Police.
5. Personnel involved in a Sykesville Police Department vehicle collision shall submit a memorandum to the on-duty supervisor giving a detailed account of the incident. All reports and pertinent paperwork will be forwarded to the Chief of Police via the chain of command with proper endorsements. In cases where the officer is physically unable to do so due to injuries sustained, his immediate supervisor will submit a report. Upon recovery the involved employee will submit his report.

6. The collision will be investigated from the standpoint of any possible negligence or liability to the town.
7. The submitted reports will include the investigator's objective findings and determination of which party was at fault.
 - a. Collision reconstructions will only be completed on departmental collisions involving a fatality or a serious, life-threatening injury to any of the involved vehicle's occupants.
8. For Police personnel, the supervisor will make a recommendation as to how the collision should be classified based on the following three categories:
 - a. Preventable/Chargeable
 - b. Preventable/Non-Chargeable
 - c. Non-Preventable/Non-Chargeable
9. The involved employee's supervisor will include in his/her endorsement:
 - a. The member's:
 - (1) Soundex number
 - (2) Date of birth
 - (3) The number of years driving type of vehicle
 - (4) Previous preventable collisions and dates
 - (5) MILES printout of the driver's record
10. Guidelines for determination of preventability

A preventable collision is any collision in which the driver failed to do everything they might have done to avoid it.

 - a. Intersections - It is the responsibility of vehicle drivers to approach, enter and cross intersections prepared to avoid collisions that might occur through the action of other drivers. Complex traffic movement, blind intersections, or failure of the "other driver" to conform to laws or traffic control devices will not automatically discharge a collision as "non-preventable." Intersection collisions are preventable even if the driver has not

violated traffic regulations. The failure to take precautionary measures prior to entering the intersection are factors to be studied in making a decision.

- b. Vehicle Ahead - Regardless of the abrupt or unexpected stop of the vehicle ahead, a driver can prevent front-end collisions by maintaining a safe following distance at all times. A safe following distance is one that allows the driver sufficient time, distance, and vision requirements to avoid a collision to reduce traffic conflict. This includes being prepared for possible obstructions on the highway, either in plain view or hidden by the crest of a hill or the curve of a roadway. Overdriving headlights at night is a common cause of front-end collisions. Night speed should not be greater than that which will permit the vehicle to come to a stop within the forward distance illuminated by the vehicle's headlights.
- c. Vehicle Behind - Investigation often discloses that drivers risk being struck from behind by failing to maintain a margin of safety in his own following distance. Rear-end collisions preceded by a roll-back, an abrupt stop at a grade crossing, a traffic signal change, or when a driver's failure to signal for a turn at an intersection, should be charged PREVENTABLE. Failure to signal intentions or to slow down gradually should be considered preventable.
- d. Passing - Failure to pass safely indicates faulty judgment, and the possible failure to consider one or more of the important factors a driver must observe before attempting the maneuver. Unusual actions of the driver being passed or of oncoming traffic might appear to exonerate a driver involved in a passing collision; however, the entire passing maneuver is voluntary and the driver's responsibility.
- e. Being Passed - Sideswipes and cut-offs involving a driver while he is being passed are preventable when he fails to yield to the passing vehicle by slowing down, moving to the right where possible, or maintaining speed, whichever action is appropriate.
- f. Oncoming - It is extremely important to check the action of the driver when involved in a head-on or side-swipe collision with a vehicle approaching from the opposite direction. The exact location of a vehicle, prior to and at the point of impact, must be carefully verified. Even though an opposing vehicle enters the driver's traffic lane, it may be possible for the driver to avoid the collision. For example, if the opposing vehicle was in a passing

maneuver and the driver failed to slow down, stop, or move to the right to allow the vehicle to re-enter his own lane, he has failed to take action to prevent the occurrence. Failing to signal the opposing driver in an appropriate manner should also be taken into account.

- g. Fixed Objects - Collisions with fixed objects are preventable. They usually involve failure to check or properly judge clearances. New routes, strange delivery points, resurfaced pavements under viaducts, inclined entrances to docks, marquees projecting over traveled section of road, and similar situations are not, in themselves, valid reasons for excusing a driver from being involved. A driver must be constantly on the lookout for such conditions and make the necessary allowances relative to speed and vehicle positioning.
- h. Pedestrians - Traffic regulations and court decisions generally favor the pedestrian hit by a moving vehicle. An unusual route of a pedestrian at mid-block or from between parked vehicles does not necessarily relieve a driver from taking precautions to prevent such collisions. Whether speed limits are posted or the area is placarded with warning signs, speed too fast for conditions may be involved. School zones, shopping areas, residential streets, and other areas with special pedestrian traffic must be traveled at reduced speeds appropriate to the particular situation. Bicycles, motor scooters, and similar equipment are generally operated by young and inexperienced operators. The driver who fails to reduce his speed when this type of equipment is operated within his sight-distance has failed to take the necessary precautions to prevent a collision. Keeping within posted speed limits is not taking the proper precaution when unusual conditions call for voluntary reduction of speed.
- i. Private Property - When a driver is expected to enter unusual locations, construction sites, etc., or driveways not built to support heavy commercial vehicles, it is the driver's responsibility to discuss the operation with the proper authorities and to obtain permission prior to entering the area.
- j. Passenger Collisions - Passenger collisions in any type of vehicle are preventable when they are caused by faulty operation of the vehicle. Even though the incident did not involve a collision of the vehicle, it must be considered preventable when the driver stops, turns, or accelerates abruptly. Emergency action by the driver to avoid a collision that results in passenger injury should be checked if proper driving prior to the emergency would have eliminated the

need for the evasive maneuver. The driver is responsible for the utilization of passenger restraint devices.

- k. Non-Collision - Many collisions, such as overturning, jack-knifing, or running off the road, may result from emergency action by the driver to preclude being involved in a collision. Examination of his driving procedure prior to the incident may reveal speed too fast for conditions, or other factors. The driver's action prior to involvement should be examined for possible errors or lack of defensive driving practice.
- l. Miscellaneous - Projecting loads, loose objects falling from the vehicle, loose tarpaulins, or chains, doors swinging open, etc., resulting in damage to the vehicle, cargo, or other property or injury to persons, are preventable when the driver's action or failure to secure them are evidenced. Cargo damage, resulting from unsafe vehicle operation, is preventable by drivers.
- m. Backing - Many collisions result from backing vehicles into unobserved obstacles; therefore, operators will, in every instance possible, park their vehicle by backing them into a parking area. In those instances when it is necessary to back from the space, the operator will, before moving, visually inspect the area to the rear of the vehicle to eliminate the possibility of striking unseen cars, poles, or other fixed objects.

When guides are controlling vehicle movements, the operators are not relieved of their responsibility to safely operate his vehicle. It is incumbent on him to be certain the path of the backing vehicle is free from obstacles.

IV. CANCELLATIONS

This General Order cancels and replaces the following policies: General Order 63.1.13, entitled Sykesville Police Department Collision Investigations, dated December 27, 2001.