



**CHEVY CHASE  
VILLAGE  
POLICE  
DEPARTMENT**

**GENERAL ORDER: 5-21 COLLISION INVESTIGATION**

DATE: 8/25/2020    Pages: 3    ◇    New    ◆    Revised—5-21

DISTRIBUTION:    **Sworn Officers**

*Police Chief: John M. Fitzgerald*

**I. POLICY**

- A. It shall be the policy of the Department to respond to the scene of traffic collisions occurring within the Village.
- B. Officers shall investigate and complete a written report for collisions occurring in the Village *in accord with this directive*.
- C. Whenever possible, officers' investigations will determine the cause of the collision and the at-fault party or parties.
- D. In the event a MCP specialized unit, e.g., Accident Reconstruction Team is called to the scene, command will shift to the highest ranking officer from that unit.

**II. PROCEDURES**

- A. Officers shall respond promptly and safely to the scene in accordance with the designated response code, to provide emergency services, investigate the collision, and restore the normal flow of traffic.
- B. The first officer on the scene will identify the number, location, and nature of injured persons, call for fire/rescue resources if they have not yet been requested, and administer emergency medical care as needed (monitor breathing and control bleeding, begin CPR, etc.). Officers shall continue to render medical care until relieved by fire/rescue/EMS or a person more capable or skilled at rendering medical care.
- B. When requesting EMS, officers must describe for the dispatcher in as much detail as possible, the number of persons injured, nature and severity of injuries, and whether anyone is pinned (the victim is held in place by a portion of the vehicle and is unable to free themselves) or "trapped" (vehicle damage prevents this person from exiting the vehicle). This procedure ensures that Fire/Rescue responds with the proper equipment to deal with the scene.
- C. Officers approaching or arriving on the scene will identify actual and potential fire hazards, and will immediately communicate this information to Fire/Rescue via ECC.

- D. 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 arrival of the Fire Department.

Officers must make ECC aware of the fact that hazardous materials are involved, and what type, in order to ensure the appropriate level of Fire/Rescue and Hazardous Incident Response Team response.

- E. After the scene has been stabilized, officers shall promptly move the involved vehicles out of the traveled portion of the roadway or onto a side street before continuing their investigation if:
  1. The vehicles can move under their own power, and
  2. Moving the vehicles can be done safely, and
  3. Moving the vehicles will not interfere with the collision investigation.

NOTE: Officers should consider taking photos of the vehicles' resting locations before moving the cars.

- F. If the collision is serious, and it is determined that there must be lane closures, the officer-in-charge will notify ECC of the closure and direct the positioning of other officers.
- G. Officers shall request the Montgomery County Police Collision Reconstruction Unit to respond and investigate all collisions involving life-threatening injuries or fatalities.
- H. After the vehicles have been moved from the traffic-way, the investigation will proceed, and at a minimum, it shall include:
  1. Identifying the drivers and passengers;
  2. Making preliminary tests for drug or alcohol impairment or intoxication;
  3. Locating, identifying, and individually interviewing witnesses;
  4. Checking the license and wanted status of all drivers;
  5. Checking the registration status of involved vehicles;

6. Determine fault whenever possible; and
7. Obtaining sufficient information to complete a collision investigation report.

I. The investigation may involve other steps such as:

1. Taking photographs and/or measurements;
2. Examining the condition and functioning of traffic control devices and other road equipment;
3. Making a preliminary examination of the condition of vehicle equipment, i.e., lamps, tires, steering gear; etc.

### III. REPORTING REQUIREMENTS

- A. A collision investigation report (currently using the state's ACRS—Automated Crash Reporting System—software) shall be completed for every collision occurring within the Village except as outlined in Sections III. B. and C. below.

**B. Mandatory reports. Reports are mandatory for collisions involving:**

1. Personal injury.
2. Serious violations (DUI; driving suspended/revoked; unlicensed driver; unregistered or uninsured vehicle; hit-and-run; other 'must appear' violations, etc.)
3. Government (federal, state, local, Metro) vehicles
4. Damage to any vehicle such that the vehicle cannot be safely driven ('significant damage').

- C. A collision investigation report is not required for collisions occurring on private property not open to the public for vehicular traffic i.e. the driveway of a private residence or open field. Officers will complete an Incident Report (CODY) describing the circumstances of the mishap. Officers shall clear the call with the appropriate clearance based on the circumstances found at the scene.

- D. A collision investigation report is not required for minor property damage collisions where:

- The vehicles are driveable and
- There is no serious violation (DUI; driving suspended or revoked; unlicensed driver; unregistered or uninsured vehicle, hit-and-run, any 'must appear' violation, etc.), and
- No government (Village, other municipality, Metro, Ride-On, county, state, federal) vehicle is involved.

1. Officers may clear these collisions as '5511-1' and a written report will be unnecessary. This clearance will allow us to capture the fact that a collision occurred at a particular place and time and enable us to keep more accurate collision

records.

2. This policy does NOT relieve officers from the duty to fully investigate and report when they have reason to believe that a serious violation has occurred (DUI; driving suspended or revoked; unlicensed driver; unregistered or uninsured vehicle, etc.).
4. 5511-1 is NOT to be used for collisions occurring outside the Village; those calls should be cleared as an 'Assist Other Agency' or other appropriate clearance. We don't want to count collisions in our database unless they occur inside the Village.
5. Dispatchers must continue to note, in the comments field of the CODY incident, that the motorists have exchanged information.

- E. Officers shall assist with and/or provide for the exchange of information (driver's license, registration, insurance, and personal contact information) between drivers involved in all collisions whether or not an ACRS report is written.

### IV. ISSUING CITATIONS

- A. Officers will only issue at-fault citations to motorists when the officer completes a collision investigation and writes a collision report.

- B. When an officer investigates a personal injury collision, collisions involving serious violations, or significant damage collisions and the officer determines which driver is at fault:

1. The officer should issue a citation to the at-fault motorist unless there are extenuation circumstances.
2. If the officer does not issue a citation to the at-fault motorist, the officer's narrative must assign primary fault whenever the investigation supports that conclusion.

- D. Officers issuing citations related to a traffic collision must summons witnesses in order to successfully present evidence in court.

### V. FATAL TRAFFIC COLLISIONS

A 'fatal injury' is an injury that results in a death at the scene, at the hospital after having been transported from the scene, or within one year of the motor vehicle collision.

1. 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 ECC. to the following:
  - a. MCP Collision Reconstruction Unit

- b. MCP Shift Supervisor
  - c. Chevy Chase Village Chief of Police
  - d. MCP Car 10
2. Upon the arrival of the Collision Reconstruction Unit members, Village officers will relinquish the scene and the investigation (and the notification of next of kin as may be necessary) to the Montgomery County Police.
3. Village officers will complete a basic collision investigation report.

## **VI. PROPERTY BELONGING TO COLLISION VICTIMS**

Property belonging to collision victims that is in plain view and/or of obvious value that is not permanently affixed to the vehicle, should remain with the victim(s) unless it is contraband, seized as evidence, or its ownership is questionable or cannot be determined.

- A. If the victim is transported to a medical facility, the investigating officer shall take the property to the facility and give it to the victim when the officer responds to the hospital as part of the officer's follow-up activities.
- B. If the victim is unable to accept custody of the property, it can be given to family members, or as a last resort, submitted to the station's Property/Evidence Room for safe-keeping until it can be reunited with its owner.
- C. When transported to the station, the property will be submitted to the Evidence/Property Custodian in person before the end of the officer's shift or placed in a temporary storage locker if the Evidence/Property Custodian is not available.
- D. The submitting officer will complete a Property Transmittal Form or the Evidence Transmittal Form describing the property and indicating the circumstances under which it was taken by the officer.
- E. The submitting officer will be responsible for initially notifying the victim of the property's location. Evidence/Property Custodian will follow up and attempt to contact the victim by phone, and/or certified letter, if necessary, advising them of the property's location and the Department's procedures for retrieving it.
- F. If 120 days has passed after contacting the owner, the Evidence/Property Custodian will take steps to dispose of the property pursuant to the provisions of the Village Charter and applicable laws.

This directive voids the previous version dated 5/12/2017 and incorporates Memorandum 20-21: Change in Collision Policy dated August 20, 2020.