
	<b>LOWER MERION TOWNSHIP POLICE DEPARTMENT</b> Ardmore, Pennsylvania	
	<b>Policy 3.7.2</b>	
Subject:		Distribution:
<b>Crash Investigations/Serious Traffic Incidents</b>		<b>All Personnel</b>
Date of Issue:	Expiration Date:	Rescinds:
<b>02-01-2017</b>	<b>Until Amended or Rescinded</b>	<b>Policy 3.7.2 Issued 06-01-2014</b>
References:		
<b>CALEA: 41.2.4, 61.3.2, 61.4.2, 83.2.6; PLEAC: 4.1.1</b>		
By Authority of:		
		<b>Superintendent of Police</b>

## POLICY

It is the policy of this Department to fully investigate all traffic related crashes in order to promote safety and security for drivers, pedestrians, and other users of public highways and other areas which fall under our authority to regulate, and in compliance with Sections 3741- 3755 of the Pennsylvania Vehicle Code. **(PLEAC 4.1.1 a)**

## DEFINITIONS AND RESPONSIBILITIES

- A. Serious Traffic Incident** - An incident involving a collision between any combination of a vehicle and another vehicle, pedal cycle, pedestrian, or other object involving a fatality, serious injury (life threatening), pursuit, or substantial police vehicle damage. All serious traffic incidents will be investigated using the most advanced techniques and technologies available. In addition, serious incidents involving pursuit, township right-of-way, and police vehicles must be thoroughly investigated to promote safety and accountability.
- B. Crash Investigation Officers** - Those officers specially trained in accident investigation to at least the level of certified Reconstructionist. Accident Investigation officers will be designated as such by the Traffic Safety Unit Supervisor.
- C. Crash Investigation Team** - A group of specially trained officers with advanced training in accident investigation. The lead investigator shall be a certified Reconstructionist. The team supervisor is the Traffic Safety Unit Supervisor
- D. Traffic Safety Unit Supervisor** - The Traffic Safety Unit Supervisor will act as a coordinator and liaison with other department supervisors during the course of the investigation.

## **GENERAL**

1. Montgomery County Emergency Dispatch Services (MCEDS) personnel, upon receipt of a report of a vehicular crash, shall dispatch the beat officer, or if he/she is not available, the next available beat officer to the scene. Emergency Medical Services (EMS) will be dispatched to all crashes except those specifically reported as having no injuries. Police personnel have "First Responder" responsibilities, and upon arriving at the scene of a crash with injuries, first aid will be rendered to injured parties.
2. All Police Personnel assigned will respond in a prompt and safe manner. The first officer arriving on the scene will survey the situation, report his/her findings to MCEDS and request any additional emergency services needed. They shall position their vehicle in a place that provides maximum protection of the scene, vehicle occupants and any hazards. The officer shall determine the nature and extent of injury, relaying pertinent information to the responding EMS unit or recalling the service if it is not required. The officer shall locate and identify any witnesses to the incident. **(CALEA 41.2.4, 61.3.2a)**
3. If the crash is reported as a hit and run, MCEDS personnel will obtain all available information as to the hit and run vehicle and transmit this information to all units. Upon arriving on the scene, the investigating officer shall contact MCEDS and provide all available information on the hit and run vehicle. MCEDS personnel will immediately broadcast this information on all frequencies in an effort to apprehend the operator of the hit-run vehicle.
4. The officer assigned to the beat where the incident occurred will conduct the crash investigation. If this officer is unavailable, the supervisor will assign an officer to conduct the investigation.
5. Complete investigations will be conducted into ALL CRASHES reported to this agency unless otherwise stated in this procedure. A report of the investigation will be filed through the Alert reporting system. **(CALEA 83.2.6)**
6. For ALL CRASHES, the investigating officer shall provide each operator involved with a signed receipt that the crash was reported (Police Department Form [TSU-19](#) or [TSU-19A](#)).
7. Investigations of REPORTABLE CRASHES, including hit and run crashes, are to be carried as far as possible by the initial investigator. If the investigation is not complete at the end of the shift, it will be referred to the Patrol Platoon best in position to follow-up and complete the investigation.
8. A Platoon Sergeant will respond to supervise the investigation of all REPORTABLE CRASHES. The responsibilities of supervision include the release of unneeded officers to other duties and to ensure adequate personnel are on hand to properly complete all tasks.

9. An investigation will be conducted of all REPORTABLE CRASHES, regardless of any agreement between operators to settle the matter. However, if the crash is NON-REPORTABLE and one or more of the parties involved has exchanged information and left the scene, there will be no investigation by this Department.
10. An occupant of a vehicle involved in a crash generally cannot be considered an impartial witness.
11. In those cases where the investigating officer is of the opinion that an operator has a physical or mental disability which may affect the ability to operate a vehicle, complete and submit DOT Form DL118 ([TSU-26](#)) Special Medical/Driver Examination. Detail the observations and/or investigative findings that lead to this determination in the Police Report. The Incident Code 4574 shall be used as a secondary code.
12. In cases where the operator has been drinking, but his/her ability to operate a vehicle is not impaired, the officer will note this in the narrative, as well as how this determination was made.

## **REPORTABLE CRASHES**

1. The investigator will prepare all reports accurately and completely. Operator and owner information should be obtained from the operator's license, insurance and registration cards. A Faulty Equipment Notice (FEN) will be issued in all cases where the operator does not have these documents in his/her possession. Ownership may be verified through MCEDS communications Center or a Mobile Data Computer (MDC), and a FEN will then be issued.
2. Written statements are to be obtained at the crash scene from any available non-involved witness. Every attempt will be made to obtain a written statement from the victim and witnesses in all cases of hit and run, failure to identify, and driving under the influence crashes.
3. The investigating officer shall use the Commonwealth of Pennsylvania Police Crash Report Form (AA-500) in compliance with instructions contained in the Police Crash Report Manual (Publication #153). (**PLEAC 4.1.1 d**)
4. Each week the Statistical Clerk will electronically submit all reportable crashes to: (**PLEAC 4.1.1 b**)

Crash Reporting System  
Penn DOT - Highway Safety and Traffic Engineering  
P.O. Box 2047  
Harrisburg, PA 17105-2047

5. By department policy, Unit 1, to the extent that fault can be established, refers to the operator who caused or contributed most to the crash.
6. If the crash involves a commercial vehicle, then Penn DOT form AA-500 C must be completed and submitted along with the crash report. **(PLEAC 4.1.1d)**
7. If the crash involves a fatality, Penn DOT form AA-500 F must be completed and submitted along with the crash report. To provide early notification to Penn DOT, the Traffic Safety Unit's investigating officer shall submit a FastFARS form (fatal crash notification) within 24 hours. This form can be obtained and submitted to Penn DOT via their Crash Reporting System website (<http://www.dot6.state.pa.us/>). **(PLEAC 4.1.1d)**
8. If the crash involves a motorcycle, pedal cycle, pedestrian, or a work zone, Penn DOT form AA-500 M must be completed along with the crash report. **(PLEAC 4.1.1d)**

## **SERIOUS TRAFFIC CRASH**

### **1. Initial Responding Patrol Officer**

- a. Officers are to be mindful of the possibility that the traffic crash may be a crime scene and maintain the highest degree of investigative quality. The officer will protect the crash scene, identify, mark, preserve, and record any physical evidence that may be observed. Patrol officers shall identify any operators, passengers and/or witnesses to ensure that statements can be obtained. Supplemental reports shall be submitted detailing actions taken. **(CALEA 61.3.2 c)**
- b. If fire rescue is needed, or there is danger of fire, the Fire Department is to be requested. The on-scene fire chief is to be advised that the scene may be a crime scene, and a request will be made to have all fire personnel not actively participating in the rescue or fire protection, to stay out of the immediate scene to protect the integrity of any evidence. Unless there is an immediate hazard of fire, no wash down should be permitted until all evidence has been marked, photographed, collected and authorized by the crash investigation officer.
- c. Blood Alcohol Content evidence shall be collected from all drivers whenever there is Probable Cause which indicates that the subject was operating a vehicle under the influence of drugs or alcohol. In the absence of Probable Cause, it may be reasonable to pursue chemical testing with the subject's consent. If chemical testing is conducted, a blood test is preferred over a breath test. All legal procedures and department policies involving chain of custody shall be followed.

## **2. Shift Supervisor**

- a. An on-duty crash investigation officer shall be contacted to respond to the crash scene. If none are available, contact the Watch Commander to coordinate the assignment of an off-duty accident investigation officer.
- b. Immediately notify the Watch Commander upon the determination that a serious traffic incident has occurred.

## **3. Watch Commanders**

- a. The Watch Commander, or his/her designee, will contact the Traffic Safety Unit Supervisor and coordinate the assignment of the crash investigation team. The Watch Commander may assign the Traffic Safety Unit Supervisor, as he/she deems necessary to respond to a crash scene to supervise the investigation.

## **4. Traffic Safety Unit Supervisor**

- a. Shall maintain an up-to-date list of officers specially trained in crash investigation.
- b. The Traffic Safety Unit Supervisor will coordinate the activities of the crash investigation officer and the crash investigation team assigned to serious traffic incidents.
- c. The Traffic Safety Unit Supervisor will act as a liaison to other department supervisors during the course of the investigation to ensure effective communication and coordination of effort. He/she will report to the Operations Division Commander on a regular basis with the progress of the investigation.
- d. In all cases involving death (or when the probability of death is present) and it appears criminal charges are a possibility, contact the MCEDS radio communications center to request that an on-call Montgomery County Detective Supervisor be notified of the incident. Notification is not required for one-car vehicle crashes resulting in the death of the driver.
- e. Assign an officer (preferably a crash investigation officer) to attend the post-mortem examination where deemed necessary.

## **5. Crash Investigation Team**

- a. The crash investigation officer shall conduct a thorough investigation of the incident to determine causation and submit a complete technical investigative report.
- b. A complete set of photographs will be taken at the accident scene. In those cases deemed necessary, the identification officer is to be notified to respond.

- d. All necessary measurements are to be taken for preparation of a scale diagram. The preferred coordinate method will be used whenever possible.
- e. A complete on-scene investigation is to be conducted prior to the scene being cleared, or vehicles and property being removed.
- f. Blood samples shall be taken at the post-mortem examination, if none were taken prior to death, and the same shall be submitted for laboratory analysis.
- g. An investigation will be conducted to determine the pre-incident activities of the driver(s) and or victim(s) prior to the accident.
- h. In all fatal accidents where there is a surviving driver, the case will be reviewed as soon as possible with a member of the District Attorney's Office prior to any charges being filed.
- i. Vehicles requiring impoundment will be secured at an appropriate location to maintain all chain of evidence requirements.
- j. In fatal accidents, where deemed necessary, a certified mechanic will conduct a complete inspection of the involved vehicles, with the assistance of a crash investigation officer.
- k. In cases of an obvious on-scene fatality the victim shall not be removed from the scene without authorization from the Coroner's Office.
- l. In cases of fatal hit and run accidents, detectives may be utilized to conduct suspect or witness interviews, if deemed necessary by the supervising Watch Commander.

## **NON-REPORTABLE CRASHES**

1. Unless as otherwise mentioned in this procedure, we will conduct investigations of NON-REPORTABLE CRASHES as defined in the Pennsylvania Crash Report Manual (Publication #153).
2. An assigned officer will record information concerning a NON- REPORTABLE CRASH on the Commonwealth of Pennsylvania Police Crash Report Form (AA-45). No diagram is needed unless the crash involves a Township vehicle or Township property.

## **POLICE DEPARTMENT VEHICLES**

1. All crashes involving police department vehicles, REPORTABLE OR NON-REPORTABLE, shall be reported immediately. An investigation shall be conducted at the scene of the crash by a Platoon Sergeant, followed as quickly as possible by

completion of the appropriate Police Crash Report Form (AA-45 or AA-500). The Operations Division Commander and Staff Services Division Commander are to be notified regarding all police vehicle crashes or damage.

2. Damage to department vehicles discovered during a pre-shift inspection shall be investigated under the following guidelines. If the investigation determines that the damage occurred where the vehicle was parked, a crash report will be completed. If the investigation indicates that the damage did not occur in the police lot or it cannot be determined if it was the result of contact by another vehicle (i.e. vandalism, etc.); the officer discovering the damage will complete an incident report.
3. An on-duty platoon supervisor will conduct an investigation and submit a supplemental report. The investigating supervisor is to determine the last known operator of the vehicle. The investigating supervisor shall contact the platoon supervisor of the last known operator in order for that supervisor to conduct a follow-up investigation.
4. The last operator of the vehicle shall submit a supplemental report to his/her supervisor detailing his/her pre-shift and post-shift inspection of the vehicle and any knowledge of the damage found. The initial investigating supervisor is responsible for coordinating this investigation and assuring that all reports are obtained.
5. The Auxiliary Services Unit Commander is responsible for reviewing reports related to damaged vehicles and coordinating any follow-up investigation or disciplinary action that is deemed appropriate.
6. The results of these investigations shall be communicated to the Township Insurance Office.

## **TOWNSHIP VEHICLES AND PROPERTY**

1. In all cases of vehicular crashes involving Township vehicles or Township property, except as noted below, a crash report (AA-45 or AA-500) will be submitted along with a diagram.
2. All reportable crashes or any crashes by a Township employee driving a commercial vehicle (GVW of 26,001 or over) in which his/her performance contributed to the crash, or whose performance cannot be completely discounted as a contributing factor in the incident, requires a post-crash drug and alcohol test.
  - a. For purposes of this requirement, "crash" is defined as an incident involving a vehicle where: (1) a citation is issued to the employee; (2) vehicular damage results in one of the vehicles being towed; (3) personal injury requiring medical attention occurs; (4) or, any incident involving the death of a human being.
  - b. Per the Township Vehicular Crashes and Reporting Policy, the Substance Abuse Policy, and Title 49 Code of Federal Regulations (CFR) part 40: policy requires

that drivers involved in crashes described above be tested within two (2) hours of the incident. If the testing cannot be conducted within two (2) hours due to extenuating circumstances, the test may be conducted within eight (8) hours of the incident.

- c. A Police Officer investigating a crash described above shall contact the Communications Center and request that the Substance Abuse Program Manager (Director of Human Resources) and a patrol supervisor be immediately notified of the incident. If the Program Manager is unavailable, the Program Alternate (Township Manager) is to be contacted.
  - d. A Telecommunicator advised of a crash described above that occurred outside Lower Merion Township shall contact an on-duty Patrol Supervisor and advise him/her that a township vehicle has been involved in a crash. The patrol supervisor shall determine if the crash meets the above criteria. If the crash requires the driver to be tested, the patrol supervisor is to ensure that the Program Manager is contacted.
  - e. Patrol Supervisors are to ensure that Telecommunicators and Investigating Officers comply with these regulations.
3. In those cases of damage to Township signs, such as parking signs, stop signs, curve signs, or delineators, etc., where there is no knowledge as to who is responsible, no crash report will be submitted; instead, a Hazardous Condition Report will be completed. In such cases where the responsible operator is known, a crash report will be submitted.

## **HIT AND RUN CRASHES**

### **1. ON HIGHWAY**

- a. In cases of REPORTABLE or NON-REPORTABLE CRASHES, when the incident is reported at the time of the incident and the identity of the driver is learned, the Police Department will bring prosecution.
- b. In such cases wherein the crash is reported late, the victim will be instructed to return to the scene to meet an officer who will investigate and submit a report. If the identity of the hit and run vehicle operator is learned, it will be up to the victim to bring prosecution for late reported hit and run incidents.

### **2. ON PRIVATE PROPERTY**

- a. We will investigate all hit and run crashes (including late reported) which occur on private property, but it will be left to the victim to bring prosecution when the identity of the operator of the hit and run vehicle is learned.



- b. In hit and run crashes, complete and submit the initial crash report immediately (by end of shift). A miscellaneous Alert report shall be utilized for NON-REPORTABLE crashes. If a follow-up investigation is to be conducted, submit a follow-up report.

## **MISCELLANEOUS**

### **1. LATE REPORTED CRASHES**

- a. For late reported crashes, MCEDS will dispatch an officer to the complainant's location. The investigating officer shall obtain information from the complainant, examine any physical evidence which is present, and document the incident as a miscellaneous insurance report. Unless unusual circumstances exist, no follow up investigation will be conducted. The complainant shall be advised that the report was received as a matter of record, and if it is a reportable crash, the operator is required to submit a report to the State on the appropriate form (Penn DOT Form AA-600).

### **2. PRIVATE PROPERTY CRASHES**

- a. Non-reportable crashes that occur on private property will be investigated as a miscellaneous incident. Only the vehicle, operators, and insurance information will be obtained.
- b. Hit and Run crashes shall be handled as outlined above.

### **3. POLICE OFFICERS – OFF DUTY CRASHES**

- a. When an off-duty member of this Department is involved in a crash within the Township, the assigned investigating officer will notify a Patrol Supervisor immediately and then proceed with the investigation. The Supervisor will submit a separate report to the Commander of the Operations Division through the Chain of Command noting any condition or circumstance affecting the off-duty member's ability to safely operate a vehicle.

### **4. PROSECUTION POLICY**

- a. The policy of this Department is that ALL CRASHES will be investigated with the understanding that enforcement action will be taken provided that there is probable cause to support such action.
- b. Officers will issue citations, or Faulty Equipment Notices for administrative type violations, when they become known at the crash scene, i.e., no Operator's License, no Registration, Expired Inspection, no Insurance, etc.
- c. If the probable cause includes an eyewitness account by an impartial citizen, reasonable attempts will be made to assure that the eyewitness will appear to

testify in the event of a hearing. The investigating officer will have the responsibility of notifying all witnesses and operators to appear in court for any hearing on the charges filed or any changes in the schedule of the court case.

- d. If the driver of the vehicle that causes a crash involving death or personal injury and is in violation of section 3742.1, the penalty is a misdemeanor or felony based on the seriousness of the injury.
- e. If an operator insists that another operator be cited, and the probable cause to prosecute does not exist, the operator may be referred to the Magisterial District Court for possible relief.
- f. If an officer is an eyewitness to a crash and the violation, that officer will issue a citation and complete either the crash report or a supplemental report.

## 5. PHOTOGRAPHS

- a. Photos will be taken in the following crash cases: fatal and serious injury crashes, crashes involving Vehicle Code Sections 3802 or 3742, crashes involving Township vehicles or property (except in the cases where only a condition report is submitted), and in any other case where, in the judgment of a patrol supervisor, photos would assist in prosecution or are otherwise necessary.

## 6. FURNISHING COPIES OF REPORTS

- a. This Department will upon request furnish copies of crash reports as mandated by section 3751 (B) of the Pennsylvania Vehicle Code. The copies will be provided at the prescribed cost. **(PLEAC 4.1.1c)**

## TRAFFIC SIGNALS

1. The intersection of Lancaster Avenue and Airdale Road is completely in Radnor Township, but the traffic signal is maintained by Lower Merion Township. The signals at Lancaster Avenue and County Line Road, Spring Mill Road and County Line Road, Lindsay Avenue and County Line Road, and Llandover Road and County Line Road are all on the boundary line, but are also maintained by this Township. Lower Merion officers will be dispatched to all incidents involving these signals.
2. If the crash is within our jurisdiction, a crash report will be submitted. If it is in another jurisdiction, that department will investigate the crash, and the LMPD investigator will take photographs of the damage and submit an Incident Report coded, "Insurance Report/Township Property" Codes 4490 and 4494. This report will include a description of the damage, the information of the operators involved, and a notation that photographs were taken and the investigating department's incident number. A copy of this report will be forwarded to the Township Insurance Office.

3. The traffic signals at Bryn Mawr Avenue and County Line Road; and the signal at County Line Road and Matsons Ford Road are maintained by Radnor Township. If a crash involves these signals, and it is within our jurisdiction, we will investigate. Radnor Township will be notified in reference to damage.
4. With the exception of the traffic signal at City Avenue and I-76, the City of Philadelphia maintains all traffic signals on City Avenue. Communications Center personnel will notify the Philadelphia Police Department of all crashes involving these signals. The Philadelphia Police Department will investigate crashes involving signals on the East Side of City Avenue. Signals on the West Side of City Avenue are within the Township (though maintained by Philadelphia). If a crash involves these signals, the Lower Merion Police Department will investigate. Philadelphia will be notified in reference to damage.

## **TRAFFIC DIRECTION AND CONTROL**

### **1. Hand Signals for Manual Traffic Direction and Control (CALEA 61.3.2b)**

- a. When a member is engaged in manual traffic direction, he/she will wear their Department issued Hi-Visibility reflective vest and utilize the following standard signals/gestures: **(CALEA 61.3.2 g)**
  1. To stop traffic, the member extends his/her arm outward with the palm of the hand towards the car to be stopped.
  2. To start the traffic flow, the member moves his/her arm in a swinging motion, at the elbow in a manner to indicate that traffic may proceed.
  3. To indicate a turn, the member extends his/her arm towards the direction in which the turn is to be made.
  4. These signals/gestures should be made by the member in conjunction with verbal commands or a whistle.

### **2. Manual Operation of Traffic Control Signals (CALEA 61.3.2e)**

- a. Keys to Traffic Control Signal boxes are issued to every Patrol Officer. These keys allow members to open traffic control boxes and place the signal on flash or manually cycle the signal. Officers may place a traffic signal on flash to assist in traffic direction when the signal is malfunctioning or the signal's operation may cause confusion, i.e. traffic crashes, parades, or other situations.
- b. In the event of a Traffic Signal malfunction, members will notify the Communications Center so that a repair may be coordinated with the Electric Shop.

### **3. Use of Temporary Traffic Control Devices (CALEA 61.3.2 f)**

- a. Temporary traffic control devices include temporary stop signs and/or barricades. These devices may be used to control traffic during special events or when the

need arises due to an unexpected emergency. These devices are stored at the Koegel Complex, and other locations in the Township, and may be installed/removed by any Officer or members of the Public Works Department.

### **HAZARDOUS ROAD CONDITIONS (CALEA 61.4.2)**

1. Roadway hazards can vary; the following procedures are to guide officers in a common sense approach to dealing with hazards they may encounter on the roadway or roadside.
  - a. If the hazard is immediate, the following course of action should be taken:
    1. The proper warning devices should be positioned as soon as possible to warn motorists of such hazards. Warning devices include, but are not limited to the following:
      - a. Flares (except when combustibles present a danger)
      - b. Barricades
      - c. Traffic cones
      - d. The police vehicle, until other adequate warning devices are obtained.
    2. If the hazard cannot be cleared or corrected by the officer on the scene, the officer should request the Communications Center notify the proper agency to handle the hazardous situation. These agencies may include:
      - a. Lower Merion Township Public Works
      - b. Utility Companies
      - c. Property owner if the hazard is on private property
  - b. If the hazard is not immediate, a Lower Merion Township Hazardous Condition Report Form ([TSU-16](#)), or any electronic reporting/tracking system put in place to replace these forms, is to be submitted. The Hazardous Condition Report Form is available in the Roll Room and, when completed, to be then turned in to Report review for forwarding to the appropriate department or agency.
2. During periods of adverse weather conditions officers should be attentive to the potential need for contacting the Public Works Department to handle various road hazards that are encountered. **(CALEA 61.3.2 d)**