



<b>University of Pennsylvania Police Department</b> 4040 Chestnut Street, Philadelphia, Pa 19104		 
<b>Directive:</b> 76	<b>Subject:</b> Traffic Accident Investigation and Reporting	<b>Effective Date:</b> 02/11/2000
<b>Order of:</b> Gary Williams, Chief of Police		<b>Amended Date:</b> 08/01/2023

### I. Purpose

The purpose of this directive is to establish policy, procedures, and guidelines for the investigation and reporting of traffic accidents by officers of the University of Pennsylvania Police Department (UPPD).

### II. Policy

It is the policy of the UPPD that all personnel adhere to the provisions herein regarding traffic accident investigation and reporting.

### III. Scope

This directive shall affect all sworn police officers.

### IV. Definitions

- A. Accident: An occurrence in a sequence of events that usually produces unintended injury, death, and/or property damage.
- B. Highway: The entire width between the boundary lines of every roadway when any part is open for use by the public for purposes of vehicular traffic.
- C. Non-Reportable Accident: All accidents in which death, injury, or towing does not occur.
- D. Reportable Accident: Per the Pennsylvania Motor Vehicle Code, Sec. 3746, a reportable accident is an accident involving injury or death of any person, or damage to any vehicle involved to the extent that it cannot be driven and therefore requires towing (excluding flat tires).
- E. Traffic Accident Investigation: The collection of factual information identifying and describing people, roads, and vehicles involved in an accident. The investigation describes the results of the accident in terms of damage to vehicles and roadside objects, injuries to people, marks and residue on the road, and final positions of the vehicles and/or bodies. There is an

interpretation of facts in terms of behavior of drivers and vehicles involved, and sometimes, an attempt to specify the peculiar combination of factors required to produce that particular accident.

- F. Traffic Accident Reporting: This is merely a report of an accident, and not an investigation of the accident. The primary method of documenting a reportable vehicle accident will be the UPPD Incident Report (UPPD-10), and a Pennsylvania Crash Report.

## V. Procedures

### A. Reporting Process

1. All vehicular accidents will be reported on a UPPD Incident Report (UPPD-10). The VIN (Vehicle Identification Number) of any vehicle involved in an accident, either reportable or non-reportable, will be documented within the UPPD Incident Report.
2. A Pennsylvania Police Crash Report will be prepared for all reportable accidents as mandated by the Pennsylvania state law, under the following conditions:
  - a. The incident must occur on a highway or trafficway that is open to the public by right or custom and involve at least one motor vehicle in transport. This can be if control is lost on the roadway or if any of the harmful events occur on the roadway and:
  - b. if it involves injury to or death of any person; and/or
  - c. if it involves damage to any vehicle to the extent that it cannot be driven under its own power in its customary manner without further damage or hazard to the vehicle, other traffic elements, or the roadway, and therefore requires towing.
  - d. The Pennsylvania Police Crash Report shall be completed using the designated on-line portal.
  - e. Furthermore, the investigating agency must report these crashes within 15 days to the Department of Transportation via the on-line PA Crash Portal. This data standard shall change in accordance with the needs of applicable Federal and State agencies and with legislative changes regarding collection of crash data.
  - f. Crashes that take place on private property are only reportable if they take place on a laned travelway intended for traffic entering or leaving the property. The lanes between parking spaces or any open area would be considered non-reportable and shall be reported on a UPPD Incident Report (UPPD-10 and coded as "Damaged Property."
3. Non-reportable accidents which occur on a highway or trafficway that is open to the public by right or custom and involve at least one motor vehicle in transport, shall be documented through the on-line PA Crash Portal. Such accidents include:

- a. Operators of vehicles involved in an accident and arrested for violation of Section 3731 MVC (Driving Under the Influence of Alcohol and/or a Controlled Substance). NOTE: A set of DC #'s must be obtained for both the accident and the arrest.
- b. All accidents involving City vehicles. This includes all vehicles assigned a property number and leased/rented vehicles.
- c. Vehicular accidents in which there is damage to City, State, or Federal property.
- d. All vehicular accidents involving a hazardous material carrier (whether a release has occurred or not).
- e. All vehicular accidents involving a leaving the scene.

## B. Responsibility

1. UPPD officers responding to or observing a vehicular accident will:
  - a. Use caution when approaching the scene of an accident involving vehicles containing hazardous materials.
  - b. Ensure first aid is rendered if necessary.
  - c. Identify potential or actual fire hazards or other dangerous conditions, so that appropriate action may be taken.
  - d. Notify the PennComm Center of scene conditions (injuries, traffic, etc.) and request that other units (Philadelphia Fire Department, PPD, etc.) are notified as needed.
  - e. Ascertain if any of the operators appear to be under the influence.
  - f. Secure any property belonging to accident victims according to the procedures listed in **UPPD Directive 38, "Property and Evidence Control"**.
  - g. Mediate any disturbances between the principals involved.
  - h. Secure and protect the scene if warranted.
  - i. Establish a safe traffic flow around the scene.
  - j. Identify and interview witnesses.
  - k. Expedite the removal of debris, if warranted, to ensure safe traffic flow.
  - l. Maintain control of the scene until relieved by a Shift Commander/Supervisor, or PPD Accident Investigation District (AID) Investigator.

m. Follow the steps of investigation as outlined in Sec. V D below.

C. Accident Investigation District (AID)

1. The PPD's AID will be notified by the PennComm Center when any of the following accidents occur (regardless of the type of vehicle or place of occurrence): The PPD AID Supervisor will determine whether or not the accident will be handled by PPD AID personnel.
  - a. Fatal accidents;
  - b. Serious injury, defined by the Pennsylvania Department of Transportation as "Incapacitating injury, including bleeding wounds and distorted members (amputations or broken bones), and requires transport of the patient from the scene".
  - c. Damage to Philadelphia City property (as determined by AID Operations Room Supervisor);
  - d. Damage to Philadelphia City vehicles;
  - e. Accidents involving violations of Sections 3742, 3743 and 3745 of the Pennsylvania Vehicle Code where a license number or part thereof or other means of identification is available (company name on vehicle, etc.); or
  - f. Hazardous material carrier accidents, when a chemical release occurs.
  - g. Whenever a child under the age of 18 years is a victim of an auto-pedestrian accident, AID will evaluate the circumstances of the incident, respond if necessary and conduct the appropriate follow-up investigation
2. The PPD Detective Division of occurrence and/or the Homicide Unit will investigate (assisted by AID) accidents which may have been the result of a deliberate act or suicide.

D. Investigative Procedures

1. The first responding UPPD officer will:
  - a. Request that the AID be notified by the PennComm Center, providing all pertinent information relative to the accident.
    - 1) Officers should allow the involved vehicles to remain in post-accident positions as much as possible, and always in fatal and potentially fatal accidents. When serious delay to traffic necessitates the removing of vehicles from the highway, mark the post-accident positions on the road surface using chalk or scratch the surface with a sharp instrument to denote the "came to rest" position for later use by AID.

- 2) If AID is responsible for the investigation, do not issue a Traffic Violation Report (TVR).
  - 3) When a Philadelphia City vehicle is involved, notify the PennComm Center to request that a PPD officer respond to the scene.
- b. Remove vehicles from the highway, when possible, to facilitate the flow of traffic.
  - c. Request the presence of a Shift Supervisor at the scene if needed.
  - d. Obtain from the vehicle operators their driver's license, vehicle registration cards, and proof of financial responsibility (insurance).
  - e. Prepare a UPPD Incident Report (UPPD-10).
  - f. Issue a Traffic Violation Report (TVR) when warranted, when supported by observation, investigation, or concurring witness. (Pennsylvania Rules of Criminal Procedure, Rule 55 A.1.)
    - 1) **Exception:** When AID is responsible for the investigation as detailed in Sec. V.D.1.a.2 of this directive.
  - g. Upon request, persons involved in an accident will be given any information from the UPPD Incident Report (UPPD-10). Persons requesting copies of the PA Crash Report will be instructed to contact the UPPD Records Unit.
  - h. Submit all completed reports to the PennComm Center Police Supervisor upon completion.
2. The PennComm Center Police Supervisor will:
    - a. Ensure the AID is notified (when necessary).
    - b. Classify and code the UPPD Incident Report (UPPD-10).
    - c. Ensure that a PA Crash Report is read and approved by a Supervisor.
- E. Fatal or Potentially Fatal Accidents
1. All UPPD officers will be guided by the provisions of **UPPD Directive 9, "Responsibilities at Crime Scenes"**, to prevent contamination of the scene and to ensure the safeguard of all evidence until the arrival of the PPD AID.
  2. Persons in need of hospitalization will be transported to the appropriate hospital facility by Philadelphia Fire Rescue.

3. Victims obviously dead will not be removed without permission from the proper authority (Medical Examiner or PPD AID Supervisor).

**Note:** Conditions may exist which make it necessary to expedite the removal of obviously dead and/or badly mangled bodies. Should removal be necessary, an outline of the position will be drawn with chalk or crayon.

4. Other officers, if necessary, will be assigned to the accident scene to maintain crowd and traffic control, to locate and detain witnesses, and to render any assistance to other responding units (PPD, PFD, etc.).
5. PPD AID will arrange for removal of the involved vehicle(s) and towing to the PPD district of occurrence or garage facility.
6. Washing down of the accident scene will not be ordered without permission from PPD AID unless there is serious danger of fire or other hazard.

#### F. Accidents Involving UPPD Police Vehicles

1. Officers involved in any vehicular accident (attended or unattended) will:
  - a. Immediately notify the PennComm Center from the scene, and request a Shift Commander/supervisor respond to the scene. Request PFD Fire Rescue if necessary.
  - b. Allow vehicles to remain in post-accident position as possible, and always in fatal and potentially fatal accidents. When serious delay to traffic necessitates the removing of vehicles from the highway, mark the post-accident position of the vehicles. Use chalk or scratch the surface with a sharp instrument to denote the "came to rest" position for later investigative use.
  - c. Avoid any unnecessary conversation relative to the accident.
  - d. Complete a "University of Pennsylvania Police Department Accident Questionnaire", (UPPD-3).
2. The PennComm Center Police Supervisor will:
  - a. Ensure that a Shift Commander/Supervisor has been dispatched to the accident scene;
  - b. Dispatch additional UPPD officers to the scene if necessary;
  - c. Ensure that PFD Fire Rescue is dispatched, if necessary; and
  - d. Make additional notifications as directed by the Shift Commander/Supervisor at the scene of the accident.
3. The Shift Commander/Supervisor on-scene will:

- a. Complete a UPPD Incident Report (UPPD-10) detailing the circumstances of the accident;
- b. Ensure that the officer involved in the accident completes the UPPD Accident Questionnaire; and
- c. Notify the chair of the Accident Review Board via e-mail, and make additional notifications as warranted.

#### G. Unreported Damage to Police Vehicles

1. Per **UPPD Directive 35, "Inspectional Services"**, officers assigned to a vehicle will conduct a thorough inspection of the assigned vehicle prior to going into service. Should the officer notice damage to the vehicle (which has not been reported previously), the officer will notify the PennComm Center and request the Shift Commander/Supervisor meet him/her at the vehicle's location.
2. If available, a digital photograph of the damage should be made.
3. The Shift Commander/Supervisor will be responsible for the documentation of all unreported damage to UPPD vehicles made by officers on their respective tours, (including undercarriage and frame damage).
4. The Shift Commander/Supervisor shall instruct the officer reporting the damage to complete a UPPD Incident Report (UPPD-10), detailing the damage done to the vehicle.
5. A copy of the report will be forwarded to the Captain of Patrol and Captain of Staff and Administrative Services, who may request that an investigation be conducted to determine the circumstances as to how the vehicle was damaged.
6. A second copy of the report will be forwarded to the Vehicle Maintenance Officer, with a cover memo requesting the necessary repairs to the vehicle.

#### H. Hit and Run Accidents

1. In hit and run cases, the first responding officer will immediately determine whether the striking vehicle and/or operator has actually fled the accident scene, secure identity of witnesses who supply information, and relay flash information to the PennComm Center.
2. The PennComm Center will broadcast the flash information regardless of how meager and repeat such information as often as circumstances warrant. Further, the PennComm Center will notify the PPD, providing as much information on the fleeing vehicle as is available. PPD AID will be requested if warranted.
3. The radio message will be repeated every hour for the first twenty-four hours (or longer, depending on the circumstances of the accident).

## I. Towing Agreement

1. When an accident requires an investigation by PPD AID, assigned personnel will ensure that vehicles are not towed until the arrival of AID.
2. When towing is necessary, the tow operator must have a towing license and a Towing Agreement, signed by the owner of the vehicle (or his representative) and a police officer, if available.

## J. Selective Enforcement

1. The ultimate goal of selective traffic law enforcement is to reduce traffic collision. This may be achieved through the application of the temporary assignment of personnel to this function, as well as the establishment of preventative patrols to deal with specific categories of unlawful driving behavior. The objective is to direct appropriate enforcement efforts towards violations, in proportion to the frequency of their occurrence in collision situations as well as in terms of traffic-related needs identified within the UPPD patrol area. Selective enforcement efforts shall also involve the following:
  - a. compilation and review of traffic collision data;
  - b. compilation and review of traffic enforcement activities data;
  - c. comparison of collision data and enforcement activities data;
  - d. implementation of selective enforcement techniques and procedures;
  - e. deployment of traffic enforcement personnel; and
  - f. evaluation of selective enforcement activities.

## K. Compliance

Violations of this directive, or portions thereof, may result in disciplinary action.

## L. Officers Assigned to Other Agencies

Officer of this department assigned to or assisting other law enforcement agencies will be guided by this directive.

## M. Application

This directive constitutes departmental policy, and is not intended to enlarge the employer's or employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims insofar as the employer' or employee's legal duty as imposed by law. Violations of policy will



only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.