

## Traffic Accidents

### 501.1 PURPOSE AND SCOPE

This policy provides guidelines for responding to and investigating traffic accidents.

### 501.2 POLICY

It is the policy of the Talbot County Sheriff's Office to respond to traffic accidents and to render or summon aid to injured victims as needed. The Office will investigate and prepare reports according to established minimum reporting requirements with the goal of reducing the occurrence of accidents by attempting to identify the cause of the accident and through enforcing applicable laws. Unless restricted by law, accident reports will be made available to the public upon request.

### 501.3 RESPONSE

Upon arriving at the scene, the responding member should assess the need for additional resources and summon assistance as appropriate. Generally, the member initially dispatched to the scene will be responsible for the investigation and report, if required, unless responsibility is reassigned by a supervisor.

A supervisor should be called to the scene when the incident:

- (a) Is within the jurisdiction of this office and there is:
  - 1. A life-threatening injury.
  - 2. A fatality.
  - 3. A County vehicle involved.
  - 4. A County official or employee involved.
  - 5. Involvement of an on- or off-duty member of this office.
- (b) Is within another jurisdiction and there is:
  - 1. A County of Talbot vehicle involved.
  - 2. A County of Talbot official involved.
  - 3. Involvement of an on-duty member of this office.

#### 501.3.1 MEMBER RESPONSIBILITIES

Upon arriving at the scene, the responding member should consider and appropriately address:

- (a) Traffic direction and control.
- (b) Proper placement of emergency vehicles, cones, roadway flares or other devices if available to provide protection for members, the public and the scene.
- (c) First aid for any injured parties if it can be done safely.

# Talbot County Sheriff's Office

## Policy Manual

### *Traffic Accidents*

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- (d) The potential for involvement of hazardous materials.
- (e) The need for additional support as necessary (e.g., traffic control, emergency medical services, fire department, HAZMAT, tow vehicles).
- (f) Clearance and cleanup of the roadway.

#### **501.4 NOTIFICATION**

If a traffic accident involves a life-threatening injury or fatality, the responding deputy shall notify a supervisor, or if unavailable, the Shift Sergeant. The Shift Sergeant or any supervisor may assign a traffic investigator or other appropriate personnel to investigate the incident. The Shift Sergeant will ensure notification is made to the Operations Patrol Captain, office command staff and County Manager in accordance with the Major Incident Notification Policy.

##### **501.4.1 NOTIFICATION OF FAMILY**

In the event of a life-threatening injury or fatality, the supervisor responsible for the incident should ensure notification of the victim's immediate family or coordinate such notification with the Medical Examiner, office chaplain or another suitable person. Notification should be made as soon as practicable following positive identification of the victim.

The identity of any person seriously injured or deceased in a traffic accident should not be released until notification is made to the victim's immediate family.

In the event of a fatality, members involved in notification should ensure that family members of the victim are provided with a victim's representation notification form, and advised of their right to file the form, as appropriate (Md. Code TR § 12-206.1). The form allows family members to request notice of a hearing on a moving violation related to the victim's death.

#### **501.5 MINIMUM REPORTING REQUIREMENTS**

An accident report shall be taken when (Md. Code TR § 20-107; Md. Code TR § 20-113):

- (a) A fatality, any injury (including complaint of pain), driving under the influence, or hit and run is involved.
- (b) An on-duty member of the Talbot County Sheriff's Office is involved.
- (c) The accident results in any damage to any County-owned or leased vehicle.
- (d) The accident involves any other government agency driver or vehicle.
- (e) The accident involves a public or private school bus.
- (f) There is damage to any vehicle to the extent that towing is required.
- (g) Prosecution or follow-up investigation is contemplated.
- (h) Directed by a supervisor.

Accidents involving a Maryland Transit Administration (MTA) vehicle should be handled by MTA.

# Talbot County Sheriff's Office

## Policy Manual

### *Traffic Accidents*

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#### 501.5.1 PRIVATE PROPERTY

Generally, reports should not be taken when a traffic accident occurs on private property unless there is an injury or fatality, a hit-and-run violation or other traffic law violation. Members may provide assistance to motorists as a public service, such as exchanging information and arranging for the removal of the vehicles.

#### 501.5.2 COUNTY VEHICLE INVOLVED

A traffic accident report shall be taken when a County vehicle is involved in a traffic accident that results in property damage or injury.

Whenever there is damage to a County vehicle, an accident report shall be completed and forwarded to the appropriate Commander. The traffic investigator or supervisor at the scene should determine what photographs should be taken of the scene and the vehicle damage.

#### 501.5.3 INJURED ANIMALS

Office members should refer to the Animal Control Policy and make appropriate notifications when a traffic accident involves the disposition of an injured animal or when learning that a domestic animal has been struck by a vehicle (Md. Code TR § 20-106(b)).

### **501.6 INVESTIGATION**

When a traffic accident meets minimum reporting requirements the investigation should include, at a minimum:

- (a) Identification and interview of all involved parties.
- (b) Identification and interview of any witnesses.
- (c) A determination of whether a violation of law has occurred and the appropriate enforcement action.
- (d) Identification and protection of items of apparent evidentiary value.
- (e) Documentation of the incident as necessary (e.g., statements, measurements, photographs, collection of evidence and reporting) on the appropriate forms.

[Talbot County Sheriff's Office Procedures Manual: 800.3 Procedure](#)

#### 501.6.1 INVESTIGATION BY OUTSIDE LAW ENFORCEMENT AGENCY

The Operations Patrol Captain or on-duty Shift Sergeant should request that the Maryland State Police (MSP) or other outside law enforcement agency investigate and complete a traffic accident investigation when a life-threatening injury or fatal traffic accident/collision occurs within the jurisdiction of the Talbot County Sheriff's Office and involves:

- (a) An on- or off-duty member of the Office.
  - 1. The involved member shall complete the office traffic accident form. If the member is unable to complete the form, the supervisor shall complete it.

## *Traffic Accidents*

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- (b) An on- or off-duty official or employee of the County of Talbot.

Office members shall promptly notify a supervisor when any office vehicle is involved in a traffic accident. The traffic accident investigation and report shall be completed by the agency having jurisdiction.

### **501.7 ENFORCEMENT ACTION**

After a thorough investigation in which physical evidence or independent witness statements indicate that a violation of a traffic law contributed to the accident, authorized members should issue a citation or arrest the offending driver, as appropriate.

More serious violations, such as driving under the influence of drugs or alcohol, vehicular manslaughter or other felonies, shall be enforced. If a driver who is subject to enforcement action is admitted to a hospital, a supervisor shall be contacted to determine the best enforcement option.

### **501.8 REPORTS**

Office members shall utilize forms approved by the MSP as required for the reporting of traffic accidents. All such reports shall be forwarded to the Operations Patrol Division for approval and filing.

#### **501.8.1 REPORT MODIFICATION**

A change or modification of a written report that alters a material fact in the report may be made only by the member who prepared the report, and only prior to its approval and distribution. Once a report has been approved and distributed, corrections shall only be made by way of a written supplemental report. A written supplemental report may be made by any authorized member.

#### **501.8.2 ASSISTANT PATROL OPERATIONS COMMANDER RESPONSIBILITIES**

The responsibilities of the Assistant Patrol Operations Commander include, but are not limited to:

- (a) Ensuring the monthly and quarterly reports on traffic accident information and statistics are forwarded to the Operations Commander or other persons as required.
- (b) Forwarding traffic accident reports to the MSP (Md. Code TR § 20-107(f)).