



Lexington Police Department

Lexington, Kentucky

GENERAL ORDER

BY THE AUTHORITY OF THE CHIEF OF POLICE

G.O. 1992-03F Traffic Collision Investigation

Rescinds: GO 1992-03E

References: CALEA Chapter(s)

Effective Date: 12/08/16

Distribution: | Sworn Officers and Safety Officers

Originally Issued: 1992

I. PURPOSE

The purpose of this policy is to establish the procedures for responding to, investigating, and reporting traffic collisions.

The Lexington Police Department adheres to currently approved traffic collision reporting and submission guidelines established by the Kentucky State Police, and conduct traffic collision investigations and prepare traffic collision reports according to procedures outlined in the current edition of "Kentucky Uniform Police Traffic Collision Report Manual" or its electronic equivalent.

II. POLICY

It is the policy of the Lexington Police Department to respond to, investigate, and complete an electronic KyOPS eCrash Report when any of the below types of collisions occur in Fayette County:

- * Vehicular collisions resulting in personal injury or death
- * Hit-and-run collisions
- * Non-injury vehicular collisions occurring on a public roadway
- * Vehicular collisions involving property damage
- * Vehicular collisions occurring on private property, based upon citizen request
- * Non-injury vehicular collisions, regardless of location, provided that one (1) of the following criteria is met:
 - * A criminal incident is associated with the collision (e.g. DUI [impairment of an operator due to alcohol or drugs], no operator's license or insurance)
 - * The collision involves hazardous materials
 - * The collision involves a Lexington-Fayette Urban County Government-owned vehicle or property, regardless of the amount of damage to the vehicle
 - * The collision involves a school bus

It is also the policy of the department that, in addition to the above circumstances, an officer or safety officer shall respond to the scene of a vehicular collision if any of the following situations occur:

- * There is a disturbance between individuals involved in the collision
- * There is major traffic congestion as a result of the collision
- * There is damage to a vehicle to the extent towing is required
- * There is a request from a party involved in the collision for an officer to respond

For increased visibility and for safety purposes, an officer or safety officer at the scene of a collision shall wear approved headwear and either the yellow reflective vest or yellow reflective outerwear while the officer is in the roadway.

III. PROCEDURE

A. Investigating Injury and Non-Injury Collisions: Responsibilities of Responding Officers or Safety Officers

1. When an on-duty officer or safety officer is dispatched to or discovers a collision, the officer or safety officer is ordinarily responsible to conduct the investigation of the collision and complete a report.
2. Responsibilities of the first responding on-duty officer or safety officer, within the limits of the safety officer's training and authority, at a collision also include:
 - a. Being in charge of the collision scene.
 - b. Ensuring that no fire hazards, hazardous materials, or other dangerous conditions are present.
 1. The officer or safety officer should not approach the immediate scene until the officer or safety officer determines it is safe to do so.
 2. If the scene is unsafe, the officer or safety officer should take appropriate action, commensurate with the officer's or safety officer's level of training and equipment, to safeguard involved parties, other motorists, and bystanders.
 3. Request additional assistance as needed.
 4. In the event of a road closing or major congestion, the officer or safety officer should notify E911 of the situation.
 5. Upon arrival at a collision scene where there is a malfunctioning, damaged or missing traffic control device, the responding officer or safety officer will immediately notify E911 of the situation so the information can be promptly relayed to the government department responsible for correcting the problem.
 - c. Identifying and coordinating assistance for injured persons.
 1. Request emergency medical assistance, if needed.

2. Provide emergency first aid, as needed, until the arrival of emergency medical personnel.

d. Protecting the collision scene.

1. Establish a safe traffic flow around the scene.

2. Request assistance for or provide traffic direction and control, as needed.

3. Expedite the removal of debris from the roadway.

a. If a towing service has been called to the scene, it is the responsibility of the towing service operator to remove any associated debris from the collision scene.

1. Debris removal shall be done by the towing service operator only after the officer or safety officer in charge of the investigation has given approval.

b. If a towing service is not required, the investigating officer, safety officer or vehicle owner/occupant removing the vehicle from the roadway is responsible for removing any associated debris from the roadway, or having the debris removed.

1. KRS 189.754 (Removal of injurious substance from highway) states: "Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle."

4. Expedite the removal of the involved vehicles from the roadway.

a. When a vehicle involved in the collision is operable, and to do so would not negatively impact the investigation, have the vehicle operator(s) move their vehicles to a safe nearby location that is out of the traveled portion of the roadway.

b. When a vehicle involved in the collision is rendered inoperable and is impeding traffic or posing a danger to the public, the officer or safety officer in charge of the scene (or designee) will facilitate expedient removal of the vehicle from the collision scene.

1. If the owner or operator of the inoperable vehicle is present at the time the vehicle is towed, they may elect to use a private wrecker service, unless to do so interferes with the completion of the investigation or clearing the collision scene.

2. If the owner or operator of the inoperable vehicle is not present at the time the vehicle is towed, the vehicle shall be

towed by the current contract towing service to its secure storage lot.

5. Restore the normal flow of traffic as soon as possible.

e. Collecting information necessary to complete an electronic KyOPS eCrash report.

1. Collect and document collision information and details such as vehicle data and positions, vehicle damage, involved drivers' and passengers' information, drivers' statements and other pertinent information required to complete the collision report.

2. Identify and interview witnesses.

3. Request Forensic Services Unit for scene documentation assistance (including photographs and evidence collection) as needed.

4. Record short-lived evidence, including measurements, as needed.

5. When private property is damaged as a result of the collision, the damage will be documented on the report and a reasonable attempt will be made to identify and notify the property owner.

f. Controlling property belonging to collision victims.

1. Ensure that property belonging to collision victims is protected from theft and is removed to a place of safekeeping if the owner is unable to care for it.

a. If possible, have the personal property transported with the victim to the hospital, or have it delivered to appropriate hospital staff.

b. If damage will not occur to the property, large items of personal property may be stored within the wrecked vehicle that is being towed to the current contract towing service's secured lot.

c. Personal property may also be booked in at headquarters. The collision victim should be made aware of this information, if possible.

d. Personal property belonging to a deceased collision victim will ordinarily be secured by a representative of the Coroner's office.

g. Taking appropriate enforcement action, including making physical arrests or issuing citations, based upon applicable KRS or RCO's.

h. Providing copies of Form #156 (Lexington Police Department Report Information) to involved parties. Form #156 contains the report case number and information about how and when they can obtain a copy of the collision report.

i. Completing the collision report in accordance with the Kentucky Uniform Police Traffic Collision Report Manual.

1. All non-injury and less serious injury collision reports will be completed prior to the end of the officer's or safety officer's shift and transmitted or otherwise forwarded, via currently approved department methods, for supervisory approval.
2. On-duty officers or safety officers are not to go off shift until all collision reports have been submitted to an on-duty supervisor, and the officer has received verification from the supervisor that the collision report(s) have been approved.
3. When an off-duty officer or safety officer operating a department owned vehicle is the first officer to arrive at or to discover a collision, they are responsible to:
 - a. Stop at the collision scene
 - b. Assess the situation and identify hazards or other dangerous conditions
 - c. Take appropriate initial actions to protect the scene, if needed
 - d. Render initial first aid, if needed
 - e. Request an on-duty report officer, and other assistance if needed
4. The off-duty officer or safety officer shall remain at the collision scene until an on-duty officer or safety officer arrives and assumes responsibility if exigent circumstances exist, including:
 - a. One or more persons are injured
 - b. A traffic hazard or major traffic congestion exists
 - c. A driver is intoxicated or otherwise impaired
 - d. There will be an extended delay in on-duty response
5. If stopping and assisting at a non-injury collision scene would compromise a police assignment or unduly impact the safety of the officer, safety officer or others under their control, the officer or safety officer shall, at a minimum, advise E911 of the collision and request an on-duty officer or safety officer be dispatched to the scene.

B. Delayed Collision Reports

1. When an officer or safety officer is in contact with a complainant involving a non-injury delayed collision report, the officer or safety officer will provide the complainant with a copy of the Kentucky Civilian Traffic Collision Report (KSP Form 232).
 - a. KRS 189.635 (4) states: "Any person operating a vehicle on the highways of this state who is involved in an accident resulting in any property damage exceeding five hundred dollars (\$500) in which an investigation is not conducted by a law enforcement officer shall file a written report of the accident with the Department of

Kentucky State Police within ten (10) days of occurrence of the accident upon forms provided by the department.” [Effective July 15, 2008]

C. Supervisor’s Responsibilities

1. Supervisors will ensure that collision reports do not accumulate toward the end of the shift. Sergeants will review and approve collision reports during the course of the shift, not only at the end of shift. Collision reports found to be in error or incomplete will be brought to the attention of the reporting officer or safety officer and corrected prior to the officer or safety officer going off shift. The officer or safety officer shall resubmit the corrected collision report and verify it has been approved by a supervisor prior to going off shift.

D. Patrol Duty Commander’s Role

1. The patrol duty commander is responsible, based upon severe inclement weather conditions or an inordinate backlog of emergency calls, to direct officers or safety officers to temporarily suspend responding to non-injury collision scenes and to temporarily suspend taking non-injury collision reports.

a. The patrol duty commander who issues the directive to suspend taking non-injury collision reports will ensure that E911 is promptly notified and is requested to inform officers and safety officers, via E911’s procedures, of this temporary suspension.

b. Non-injury vehicular collisions that involve any of the below factors will continue to be responded to during the temporary report suspension:

1. A criminal incident is associated with the collision
2. The collision involves hazardous materials
3. The collision involves a Lexington-Fayette Urban County Government-owned vehicle or property
4. The collision involves a school bus
5. There is a disturbance between individuals involved in the collision
6. There is major traffic congestion as a result of the collision
7. There is damage to a vehicle to the extent towing is required

c. When the patrol duty commander cancels the directive to suspend taking non-injury collision reports, they will ensure that E911 is promptly notified and is requested to inform officers and safety officers, via E911’s procedures, that the suspension is cancelled and to resume regular reporting procedures.

2. Civilian Traffic Collision Reports (KSP Form 232) will not be given out except when

authorized by a patrol duty commander, as noted above, during times of report suspensions or for severely delayed non-injury collisions.

E. Investigating Collisions that Involve Call Out of the Collision Reconstruction Unit (CRU)

1. The Collision Reconstruction Unit (CRU) will respond to and investigate collisions when there is a potential for a felony charge(s) and the collision involves a death and/or injury where there is the possibility for a death.

2. The CRU will also respond to and investigate any collision involving an Urban County Government vehicle that involves a death, an injury where there is the possibility for death, significant property damage and liability is questionable, or any officer-involved collision in which the officer could face criminal charges.

3. Responding Officer's Responsibilities (CRU Call Out Scene)

a. When an on-duty officer dispatched to or discovers a collision that meets the above criteria for investigation by the Collision Reconstruction Unit (CRU), the officer is in charge of the scene and for conducting the preliminary scene responsibilities until relieved by a supervisor or by a CRU investigator.

1. The scene shall be treated as a crime scene.

b. The officer in charge of the scene should promptly notify their supervisor of the severity of the collision and request the supervisor respond to the scene.

1. The supervisor, after arrival at the scene, is responsible to initiate a CRU call out.

4. Supervisor's Responsibilities (CRU Call Out Scene)

a. It is the responsibility of the contacted supervisor to:

1. Respond to the collision scene

2. After arrival at the scene, verify that the circumstances of the collision meet CRU call out criteria:

a. The responding officer is responsible to complete the collision report only when the collision:

1. Involves a single vehicle, and

2. The deceased or injured driver is the only vehicle occupant, and

3. No felony criminal charges are anticipated related to the collision.

b. When the collision outlined in a. above involves a fatality, the responding officer completing the collision report is also responsible for creating a currently approved death investigation electronic case report. (Death Investigation will be the actual offense listed on the electronic case report.) Assisting officers will provide supplements via this report as needed.

c. For collisions as outlined in a. above, a CRU investigator will respond and:

1. Assist the officer completing the collision report
2. Mark the scene
3. Complete the KSP Fatality Notification
4. Handle any blood requests or court orders

3. Initiate the CRU call out:

a. The supervisor will first attempt to contact an on-duty CRU investigator

b. If no on-duty CRU investigators are available, request E911 contact the on-call CRU investigator.

4. Be in charge of the collision scene until the CRU arrives and is briefed.

5. The supervisor should also assist with determining if other expert or technical assistance is needed at the collision scene.

5. Responding Collision Reconstruction Unit Investigator's Responsibilities

a. After arrival and after being briefed, the designated Collision Reconstruction Unit investigator is in charge of the scene.

Note: Collision Reconstruction Unit investigators have successfully completed a collision investigation course offered by Missouri State, Northwestern Traffic Institute, IPTM, DOCJT, Kentucky State Police, or other certified training program prior to becoming the lead CRU investigator at a collision scene.

b. Once they arrive on scene, the designated CRU investigator will notify a CRU supervisor and determine whether any additional resources are required to investigate the collision.

c. The designated CRU investigator is also responsible for multiple investigative tasks including, but not limited to:

1. Overall responsibility for report preparation and completion, and for developing the case through final disposition.
 - a. The collision report will be completed in accordance with the Kentucky Uniform Police Traffic Collision Report Manual.
 - b. When the collision involves a fatality or injury, the designated CRU investigator completing the above collision report is also responsible for ensuring that a currently approved death investigation or personal injury electronic case report is completed. (Death Investigation or Personal Injury will be the actual offense listed on the electronic case report.) Assisting officers will provide supplements via this report as needed.
 - c. All preliminary fatal and life-threatening collision reports will be transmitted or otherwise forwarded via currently approved department methods within ten (10) days of the collision.
2. Collision investigation follow-up activities include:
 - a. Collecting off-scene data.
 - b. Obtaining or recording formal statements from witnesses.
 - c. Reconstructing collisions.
 - d. Obtain the services of an outside agency specialist for expert and technical assistance.
 1. Requests for the services of an outside agency specialist will be forwarded, in writing, through the chain of command.
 2. Requests for technical assistance involving intergovernmental sections may be made in writing or verbally to the bureau assistant chief.
 - e. Prepare formal reports to support criminal charges.

E. Hit-and-Run Collision Investigations

1. Officers who respond to a collision that involves a hit-and-run, in addition to completing the responsibilities outlined above for officers in charge of a collision scene, will initiate additional investigative procedures based upon their discretion and as circumstances dictate, including:
 - a. Request the broadcast of an “attempt to locate”, if the collision recently occurred and a reasonably detailed description of the run vehicle is available.
 - b. If a license number for the run vehicle is available, attempt to determine whether the run vehicle is registered to a local resident, and investigate and/or

document this information accordingly.

- c. If the hit-and-run driver is located, take appropriate enforcement action.
- d. If towing an unoccupied run vehicle, officers will comply with procedures outlined in GO series 1979-01 Vehicle Procedures.
- e. Document the paint color of all involved vehicles, as available.

2. Officers assigned to the Hit-and-Run Unit are responsible to:

- a. Conduct follow-up investigations on all incomplete hit-and-run collision reports.
- b. Maintain and update hit-and-run collision investigation files.
- c. Provide updates, as available, to vehicle owners whose vehicles were involved in hit-and-run collisions.
- d. Take appropriate enforcement action, including making physical arrests or issuing citations, based upon applicable KRS or RCO's.

F. Kentucky Transportation Cabinet

1. The Kentucky Transportation Cabinet will be promptly notified, by E911, if any of the following traffic incidents occur in Fayette County that involve:

- a. A major highway being closed for more than 30 minutes
- b. Multiple victims with serious injuries
- c. A fatality
- d. Significant property damage due to fire or explosion
- e. The release of hazardous materials necessitating road closures and or the evacuation of the immediate area
- f. A school bus incident which results in fatalities and/or injuries
- g. Significant damage to any highway facility
- h. A collision that was caused by the highway itself, such as potholes or slides
- i. A bridge failure or closure
- j. Major flooding, tornadoes or other natural disasters creating road closures or damage.

2. Officers or safety officers will provide E911 with sufficient information about the traffic incident and the roadway(s) involved, facilitating E911's notification to the Kentucky Transportation Cabinet.