
**Section: THREE
Chapter: FOURTEEN**

SUBJECT: MVA Investigations
ISSUE DATE: 08-15-16
REFERENCE: NYS 47.6, 47.7

I. DEFINITION

A motor vehicle accident is any unintended event that results in injury, death or property damage attributable directly or indirectly to the motion of a motor vehicle or its load.

II. INTRODUCTION

The following guidelines are not meant to cover all the elements of accident investigation but are designed to stress important considerations and provide general instructions. Personnel assigned to respond and handle accidents are to base their actions on these guidelines, their training and experience.

III. INITIAL RESPONSE

- A. Upon arrival at the scene of an accident park your vehicle in a safe position and use necessary equipment to give warning to other traffic in the area. Prevent the accident from becoming worse.
- B. Assess the situation (injuries, traffic flow, hazards, need for additional assistance).
- C. Check for and aid the injured.
- D. Contain the situation (direct traffic, request additional officers, flares, reroute traffic, etc.)
- E. Make necessary notifies (supervisors, other officers, technicians, ambulance, rescue, fire companies, tow truck, utility companies, etc.).

IV. PRELIMINARY INVESTIGATION

- A. Personnel investigating accidents should remember that even relatively minor accidents can be major events in the lives of the parties involved. A complete investigation should be conducted to ensure all the facts of the incident are brought to light. Attempts should be made to locate and interview witnesses, pertinent notes are to be taken and recorded in an official report.
- B. Personnel will be familiar with the New York State law regarding accidents and accident reports.
- C. Personnel will complete all reports and forms required by the Department and the State of New York.
- D. Personnel will assist in the exchange of information between persons involved in any accident.

V. ACCIDENT TYPES

Personnel investigating accidents are not limited to the type of actions set forth below. These are considered the minimal actions the officer should take given the type of accident involved. Personnel investigating the accident are in the best position to determine the correct way to complete the investigation. If in doubt, notify the on duty supervisor for guidance and advice.

- A. Property damage accidents: Personnel will investigate this type of accident, take necessary notes and complete appropriate forms.
- B. Personal injury accidents: Personnel will investigate this type of accident, take necessary notes and complete appropriate forms. The responding officer will provide necessary aid and ensure that an ambulance has been called. Based on the officer's training and experience the following additional steps may be taken:
 - 1. Request the assistance of a crime scene technician.
- C. Serious injury and fatal accidents: Personnel will investigate this type of accident, take necessary notes and complete appropriate forms. The responding officer will provide necessary aid and ensure that an ambulance has been called. The officer will notify the following personnel:
 - 1. The on duty supervisor, and Officer in Charge;
 - 2. A crime scene technician.
- D. All personnel should be aware of the additional resources available to assist with the investigation and/or at the accident scenes. Resources include but are not limited to:
 - 1. Assistant district attorneys (fatal, DWI, felonies).
 - 2. Crash management teams.
 - 3. Fire companies (special tools, lights, fire police).
 - 4. County Haz-Mat teams.
- E. Although available, prior to using these resources, approval of a supervisor is necessary.

VI. SPECIAL CONSIDERATIONS

- A. Fire hazards--officers investigating accidents will call a fire company in the event of a fire, a potential fire or if a person is trapped inside a vehicle.
- B. Hit-and-Run accidents--officers will:
 - 1. Determine if an accident took place.
 - 2. Broadcast pertinent information to other officers and appropriate police agencies.
 - 3. Collect and preserve evidence if any.
- C. Suspected DWAI, DWI, or DWAI-if, during a traffic stop or in the course of an investigation, an officer has cause to believe that one or more of the vehicle operators is under the influence of alcohol or drugs, the officer may have the operator(s) submit to a test or series of tests. An officer will administer the tests, commonly known as field sobriety tests. A field-screening device may also be used to assist the officer in determining impairment. If the officer's cause rises to that of probable cause, the officer shall arrest the operator for the appropriate violation.

- D. Hazardous Materials--whenever a vehicle transporting hazardous material is involved in an accident, the officer will ensure the safety of all persons at or near the scene. In the event of a spill, leak, etc. of the hazardous material the officer should remain up wind and utilize the N.Y.S.D.O.T. response guide in making the preliminary assessment. The vehicle operator is an excellent source of information. Make sure the driver is readily available. The on-duty supervisor and a fire company should be notified at once. Notification of the county haz-mat response team will be made if necessary either by the fire department a supervisor.
- E. Public vehicles or property--standard accident procedures will be followed.
- F. When a police vehicle is involved in an accident, a supervisor will investigate and make a report of same. Photographs will be taken with the Department camera. The officer(s) involved will file a special report with the Chief of Police. A crime scene technician will be called for photographs and processing, if serious injury or death is imminent or resultant. If the accident occurs outside the Village of Palmyra, the supervisor in conjunction with the Chief of Police will determine the proper response.
- G. When a Village-owned vehicle or property is involved in an accident, the officer assigned will investigate and file a report. The on duty supervisor will be notified and photographs will be taken with the Department camera.

VII. ACCIDENT PREVENTION

Officers will seek to reduce accidents by:

1. Being aware of department statistics that indicate the time, location, frequency and types of violations and accidents that occur in the town.
2. Taking enforcement action when violations are observed or reported.
3. Patrolling high accident locations during the times when the likelihood of accidents is highest.
4. Officers are to immediately report to the appropriate agency (Village DPW, NYSDOT) any problem that may affect traffic conditions (this includes but is not limited to signs down or missing and/or malfunctioning traffic control signals). Warning devices, such as road flares, will be placed to alert motorists to hazardous road conditions, where necessary (disabled vehicles, potholes, etc.).

By the Order of:

David B. Smith
Chief of Police