



SUBJECT
Police Vehicles – Accident Control and Vehicle Damage

AMENDS

REFERENCE

RESCINDS
Procedural Instruction 97-5 and 97-5A, Police Vehicles -
Accident Control and Vehicle Damage, Department
Memorandum 01-13

I. PURPOSE

To provide procedures for the reporting of police vehicle accidents and damage.

II. ADMINISTRATIVE GUIDELINES

- A. All members will operate vehicles in a safe and prudent manner which projects a professional image of the department. Members will comply with the traffic codes, unless operating as an emergency police vehicle.
- B. Any department member observing a police vehicle being operated in an unsafe manner, in violation of a traffic ordinance or a department procedure will notify the member's immediate commander or supervisor. The department member will relate the action, time, location, and identity of the vehicle and/or the operator. The commander/supervisor receiving such information will review the circumstances.
- C. Any member involved in a vehicle damage incident while operating a department vehicle will immediately notify the dispatcher and/or immediate supervisor.

III. DEFINITIONS

- A. **Accident Classifications** - These classifications are determined anytime a department member is involved in a motor vehicle accident and are:
 - 1. **Non-preventable** - The member did everything which could have reasonably been expected to avoid the accident.
 - 2. **Preventable** - The member did not operate the vehicle in accordance with the requirements of the law.
- B. **Accident Investigator** - A law enforcement member assigned to the Traffic Investigation Unit who has received specialized training in the investigation of motor vehicle accidents.
- C. **Accident Package** - Reports and photographs which pertain to a police vehicular accident. Once assembled by the Legal Office, the accident package will be forwarded to the operator's supervisor/commander and should include:

1. Missouri Uniform Accident Report (if taken).
2. Police Vehicle Damage Information, Form 154 P.D.
3. Classification Sheet Vehicular Accident Control, Form 325 P.D.
4. Damage Estimate Report (self generated report from the Fleet Operations Unit).
5. Photographs (if taken).

Note: If disciplinary action is recommended by a commander/supervisor, they will ensure the following forms are attached to the accident package created by the Legal Office:

- a. Incident Report, Form 387 P.D.
 - b. Demeanor Report, Form 386 P.D.
- *D. **Department Safety Officer** - A law enforcement officer, assigned to the Legal Office, who may review police involved vehicular accidents/incidents to determine causes and identify preventive measures.
- E. **Department Vehicle** - Includes any police vehicle, private vehicle authorized for official police duty, or specialty vehicle (lease car, taxi cab, city vehicle) used by the department for official police duty.
- F. **Motor Vehicle Accident** - Any event that results in the unintended injury, death, or property damage caused by the motion or load of a motor vehicle.
- *G. **Vehicle Damage Classifications** - Types of classifications for damage to police vehicles.
1. **Malicious Damage** - Any vehicle damage which is willfully caused by the operator or other person and does not meet the conditions for vehicle accident, miscellaneous, or unreported damage. A Field Incident Report, Form 189 P.D., is required.
 2. **Miscellaneous Damage** - Any vehicle damage which is **not** the result of a motor vehicle accident and not willfully caused by the operator or other person. **Tire chain, car wash, and hail damage** should be listed as miscellaneous damage.
 3. **Unreported Damage** - Any vehicle damage discovered by the operator which has not been documented previously. The cause or source of the damage may not be readily known.

4. **Vehicle Accident Damage** - Any vehicle damage which results from a motor vehicle accident. If only police department equipment is involved and the result of the accident is damage so slight that it would not affect the operation of the vehicle (small scratch, dented hub cap, paint transfer, etc.), no Missouri Uniform Accident Report is required.

IV. PROCEDURE

This directive has been organized into annexes for easy reference.

- ANNEX A Vehicle Accident Procedures
- ANNEX B Police Vehicle Damage Information, Form 154 P.D.
- ANNEX C Recommendations/Classifications Disciplinary Actions
- ANNEX D Investigation of Police Vehicle Accidents Outside City Limits
- ANNEX E Damage Other than Motor Vehicle Accident
- ANNEX F Driver Training and Evaluation Program

Richard D. Easley
Chief of Police

Adopted by the Board of Police Commissioners this 14th day of November 2003.

Karl Zobrist
President

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Civilian Supervisory Positions
Department Element Manuals
Post on all bulletin boards for two weeks.

VEHICLE ACCIDENT PROCEDURES

A. General Procedures

1. When a department member becomes involved in a vehicle accident, while operating a department vehicle, they will immediately notify the dispatcher and/or immediate supervisor.
2. The dispatcher will advise the member's immediate supervisor to respond. If not available, another supervisor will be notified to respond to the scene (this includes vehicle damage incidents that take place outside the city limits in the metropolitan area.) If the operator is a commander, the on-duty traffic sergeant or sergeant in whose district the accident occurred will be notified.
3. A response by an accident investigator is **required** if the incident involves a serious injury/fatal motor vehicle accident.
4. A Missouri Uniform Accident Report is required, and a response by an accident investigator preferred, if the incident involves a motor vehicle accident and:
 - a. An injury to any person, or;
 - b. Involvement of any citizen, or;
 - c. Occurs outside city limits and a report is not available from another agency, or;
 - d. A department member is operating a specialty vehicle, or private vehicle authorized for official police duty, or;
 - e. Damage is caused to any property other than police department property, and damage is in apparent excess of five hundred dollars (\$500.00).

NOTE: If only department property is involved and there are no injuries, a Missouri Uniform Accident Report is *not* necessary, even if the damage is substantial to the police vehicle(s).

B. Supervisor Responsibilities:

1. The **responding supervisor** will determine the nature of the damage and ensure that the appropriate reports are initiated.
- *2. If a Missouri Uniform Accident Report is required and an accident investigator is not available, the on-scene supervisor will ensure an uninvolved officer is dispatched to conduct the investigation and complete the Missouri Uniform Accident Report.

- *3 If the accident involves a fatality, serious injury, or if there is substantial damage to any vehicle, the responding supervisor will have the dispatcher notify the Legal Office.

C. Reporting Officer's Responsibilities

1. When a Missouri Uniform Accident Report is taken by either an accident investigator or an officer, he/she will:
 - a. Conduct a thorough investigation of the accident.
 - b. Ensure photographs are taken of the damage to the vehicle(s) and property.
 - c. Ensure the following applicable notations are legibly written at the top of the report:
 - (1) **“Department Vehicle,”** the **police vehicle number**, and the **operator’s radio number and serial number**, or;
 - (2) **“Department Vehicle - Privately Owned/Specialty Vehicle”** and the **operator’s radio number and serial number** will be written if a private vehicle or specialty vehicle authorized for police duty is involved.

- *2. Immediately upon completion of the Missouri Uniform Accident Report, the **accident investigator** or **reporting officer** will forward copies of all reports, UTTs (if issued), and photographs to the Legal Office where the accident package will be assembled for forwarding.

- *D. The Legal Office will assemble an accident package and forward it to the operator’s immediate supervisor for recommendations. This will ensure accurate accountability and standardized preparation of all accident packages.

POLICE VEHICLE DAMAGE INFORMATION, FORM 154 P.D.

A. General Procedures

1. A Police Vehicle Damage Information, Form 154 P.D., will be prepared anytime a department vehicle is damaged or involved in a motor vehicle accident (where damage has occurred). An original or supplemental case report number will be assigned to the Police Vehicle Damage Information, Form 154 P.D.
- *2. The vehicle driver will complete the Police Vehicle Damage Information, Form 154 P.D., **prior to the end of the tour of duty** and **immediately** fax a copy to the Fleet Operations Unit, Communications Support Unit, and the Legal Office. If injury prohibits completion of the Police Vehicle Damage Information, Form 154 P.D., the responding supervisor will contact the Fleet Operations Unit, Communications Support Unit, and the Legal Office, and notify them of the situation. The member will obtain a complaint number and complete the Police Vehicle Damage Information, Form 154 P.D., as soon as practical. The Police Vehicle Damage Information, Form 154 P.D., will include the following information:
 - a. Actions of the operator.
 - b. Speed and direction of travel.
 - c. Exact location and description of damage to the vehicle.
 - d. A detailed description of any damage or probable damage to vehicle equipment/accessories (e.g., Mobile Data Terminals, Video Camera System, Police Radio System etc.).
 - e. Whether emergency equipment was in use and whether the vehicle was stationary or moving.
 - f. The operator's statement concerning the cause of the accident and/or damage.
 - g. Name of the responding supervisor.
 - h. The reporting officer's signature and serial number at the end of the narrative.
- *3. The reporting officer's immediate supervisor, assistant division commander/unit commander, and the division commander will sign the Police Vehicle Damage Information, Form 154 P.D., and check either the box marked "No Further Action" or "Initiate Accident Package."

- *a. If all persons check the box marked “No Further Action,” a copy of the completed form will be forwarded to the Legal Office, Fleet Operations Unit, and the Communications Support Unit, in order to ensure a damage estimate is prepared on any damaged department vehicle and/or equipment.
- b. If the box marked “Initiate Accident Package” is checked by the Division Commander, they will ensure a copy of the form is forwarded to the Legal Office, who will initiate an accident package in accordance with this policy.

B. Approving Supervisor’s Responsibilities

- 1. The approving supervisor will determine the type of damage (vehicle accident, malicious, miscellaneous, or unreported) and make the appropriate entry on the Police Vehicle Damage Information, Form 154 P.D., in the block designated “Type of Damage.”
- 2. If the vehicle involved is damaged but remains driveable, the supervisor will determine at the scene if the damaged vehicle should be immediately sent to Fleet Operations to ensure mechanical safety.

C. All original Police Vehicle Damage Information, Form 154 P.D., reports will be filed in accordance with current department guidelines applicable to the filing and storage of department reports.

*D. The Commander/Supervisor will ensure officers have forwarded, in a timely manner, a copy of **every** Police Vehicle Damage Information, Form 154 P.D., to the Legal Office, Fleet Operations Unit, and the Communications Support Unit.

E. Damage Estimates

- *1. The Watch II desk sergeant will notify Fleet Operations Unit personnel of any patrol vehicle damaged within the previous twenty-four hour period and schedule an appointment for a cost estimate of damage between 0700 and 1500 hours, Monday through Friday. The Watch II desk sergeant will also ensure that Communications Support Unit personnel are notified of any damaged patrol vehicle equipment/accessories within the previous twenty-four hour period. Department personnel responding to the Fleet Operations Unit for an estimate will ensure a copy of the Police Vehicle Damage Information, Form 154 P.D., is available at the Fleet Operations Unit. Fleet Operation’s Unit personnel will file the report by vehicle number.
- 2. If the damaged vehicle is a take-home vehicle or is assigned to a unit other than a patrol division, the operator’s supervisor will ensure the vehicle is brought to the Fleet Operations Body Shop, between 0700 and 1500 hours, Monday through Friday, for a cost estimate of damage.

- *3. The Fleet Operations Unit will forward all estimates prepared on department vehicles to the Legal Office when they are completed.
- *4. If the vehicle is not drivable, Communications Support Unit personnel will respond to the Fleet Operations Unit, to remove any damaged equipment from the vehicle and prepare an estimate on the damaged equipment. The prepared estimate will be forwarded to the Legal Office when completed.

***RECOMMENDATIONS/CLASSIFICATIONS DISCIPLINARY ACTIONS**

Recommendations/Disciplinary Action

- A. The element supervisor/commander will review and make a recommendation **specifically relating to that particular accident** for each vehicle accident involving personnel of his/her command. When determining appropriate disciplinary action, vehicular accidents classified as “preventable,” occurring within the current four-year period, and which have similar contributing circumstances, should be considered.
- B. The immediate supervisor/commander, when appropriate, will complete an Incident Report, Form 387 P.D., and Demeanor Record, Form 386 P.D., if the vehicle accident is classified “preventable” and forward all reports through the chain of command to the bureau commander.
- C. The bureau commander will make the final determination on all vehicle accident classifications. If the bureau commander changes the classification, the file will be returned through the chain of command to the immediate supervisor/commander for appropriate action.
- D. On final disposition, a copy of the case file will be forwarded by the bureau commander to:
 - 1. The department safety officer for documenting the final classification in the Police Vehicular Log. Photographs should also be forwarded to the department safety officer.
 - 2. The member’s element for inclusion in the member’s unit jacket and updating of the demeanor record.

INVESTIGATION OF POLICE VEHICLE ACCIDENTS OUTSIDE THE CITY LIMITS

- A. Inside the Metropolitan Area the operator will:
1. Follow the procedures outlined in ANNEX A of this procedural instruction.
 2. Report the accident to the local law enforcement agency.
 3. Complete a Police Vehicle Damage Information, Form 154 P.D., and ensure a copy is immediately forwarded via fax, to the Fleet Operations Unit, the Communications Support Unit, and the Legal Office.
- B. Outside the Metropolitan Area the operator will:
1. Report the accident to the local law enforcement agency.
 2. Notify the Communications Unit supervisor with all pertinent information. The Communications Unit will notify the Legal Office, when appropriate.
 3. Determine the operating condition of the vehicle:
 - a. **Driveable:** Contact the Fleet Operations Unit within 24 hours and notify them of the damage.
 - b. **Non-Driveable:** Contact the Fleet Operations Unit and make arrangements for returning the vehicle.
 4. Complete a Police Vehicle Damage Information, Form 154 P.D., within 24 hours of return, and forward a copy to the Fleet Operations Unit, Communications Support Unit and the department safety officer.
 5. In the event the accident involves a serious injury or fatality, and the outside agency does not have a trained accident investigator, a Kansas City Police Department accident investigator and an accident investigation supervisor will respond to assist with the investigation, take photographs, and complete measurements. A Report, Form 100 P.D., entitled, "Miscellaneous Investigation," and a scale accident diagram will be completed.
- C. Department Safety Officer Responsibilities
- The department safety officer will:
1. Contact outside law enforcement agencies to obtain copies of vehicle accident reports involving department vehicles.

2. Review all reports taken and any articles of evidence.
3. Forward the accident package to the operator's element commander.

DAMAGE OTHER THAN MOTOR VEHICLE ACCIDENT

A. Unreported Damage

1. An operator finding previously unreported damage to a department vehicle will notify their immediate supervisor and complete a Police Vehicle Damage Information, Form 154 P.D.
2. The supervisor and/or commander will:
 - a. Determine the type of damage (malicious, miscellaneous, or unreported), if possible.
 - b. Initiate the appropriate investigation to determine the cause of and person(s) responsible for the damage. If the supervisor is unable to determine the cause or source of the damage at the scene, the "Unreported" box will be checked on the Police Vehicle Damage Information, Form 154 P.D.
 - *c. Forward or fax a copy of the Police Vehicle Damage Information, Form 154 P.D., to the Fleet Operation Unit, Communications Support Unit (if applicable) and the Legal Office.
3. Extensive damage discovered by an operator or Fleet Operations Unit personnel, which appears to be the result of a vehicle accident, will be investigated by the Traffic Investigation Unit.

*B. Malicious Damage

A Field Incident Report, Form 189 P.D., detailing all pertinent facts of the incident, will also be prepared anytime a department vehicle sustains malicious damage. The Field Incident Report, Form 189 P.D., will be the original report, with the Police Vehicle Damage Information, Form 154 P.D., supplemental to the Incident Report. The narrative portion of the Police Vehicle Damage Information, Form 154 P.D., need not be completed. A notation in the narrative section of the Police Vehicle Damage Information, Form 154 P.D., will be made indicating "see Form 189 P.D. for narrative."

C. Miscellaneous Damage

Cases of miscellaneous damage will be handled in accordance with the procedures set forth in ANNEX B of this directive.

DRIVER TRAINING AND EVALUATION PROGRAM

*A. Driver Training and Evaluation Program

1. The Legal Office will:

- a. Review accident reports, identify trends and information relative to the department fleet, and distribute them throughout the department.
- b. Work as needed with the Training Division to ensure driver training is consistent between officers and the Regional Police Academy entrant officers.

2. Supervisors will reinforce and expand driver knowledge and positive driving habits by utilizing training videos, department policy and procedures, and the current reported driving problems.

B. Remedial Training

Requests for remedial training can be made by completing a Department Memorandum or Interdepartment Communication, Form 191 P.D., and forwarding the information, through the chain of command, to the department safety officer.