A. Policy

The investigation of traffic accidents is necessary, not only to determine traffic law violations, but to obtain engineering data, to protect the rights of the individuals involved, and to assist in traffic education.

To insure proper and complete investigation of accidents, the following procedures will be utilized:

B. Procedures

1. The success of an investigation depends greatly upon the initial observations and actions of the first officer to arrive. Preliminary investigations shall begin when the first officer arrives on the scene, and shall continue until that officer is relieved. The transfer of the case, to the follow-up officer or detective, must not jeopardize the successful completion of the investigation. Officers assigned to this Department will conduct preliminary investigations on all accidents including police vehicles with exceptions noted in paragraph B.2. and State vehicles, that happen on Medical University property, or that occur on city streets, near the campus. Officers of this department will not investigate accidents involving a vehicle that is owned or operated by any member of this department or is owned or operated by any family member of departmental personnel. These accidents will be referred to the Charleston Police Department. (CALEA 83.1.1). The following procedures will be followed:

   a. Administer first aid and advise the Dispatcher when rescue and/or wrecker service is needed. The officer will also advise if another officer is needed for assistance.

   b. Protect the accident scene to insure that evidence is not lost or contaminated.
c. Determine what specific violation has occurred.

d. Relay all available information to other personnel if the suspect is not in custody.

e. Obtain driver's license and vehicle registration information. If driver states that the vehicle is insured, issue an FR-10. If driver states that the vehicle is not insured, **DO NOT ISSUE AN FR-10** - issue a Uniform Traffic Citation for driving an uninsured vehicle.

f. Obtain statements from the victim, witnesses and suspects, if possible. When it is necessary for a witness to leave the scene before the investigation is complete due to a pressing appointment or some type of emergency, obtain the necessary information as quickly as possible and allow the witness to leave. In some instances, it may be appropriate to obtain only the name, address and phone number of a witness, so they can be interviewed later.

g. Collect and preserve evidence.

h. Investigate and determine the cause of the accident. Note the position of all vehicles involved, and take measurements when possible.

i. The officer will record all pertinent data on the appropriate forms, and take photographs of damage if the officer estimates the damage to be over $100.00. **(CALEA 83.2.6)**

j. In the case of a serious accident, assistance of the Charleston Police Department may be required. **(CALEA 83.1.1)**

1) A TR-310 revised 1/01, South Carolina Uniform Traffic Accident Report, will be completed for all accidents reported to Public Safety. The only exceptions will be for vehicles that have been removed from the scene, the property damage is under $1,000.00, there are no injuries or deaths, or there is no suspect information.

2) A Form 309/SR-21 will be completed for all accidents reported to Public Safety if the vehicle has been removed from the scene, the property damage is under $1,000.00, there are no injuries or deaths, or there is no suspect. The 309/SR-21 Form is to be completed by the driver and the officer will write an incident report titled Information Only. If the vehicles were moved out of the lane of traffic but still at the scene, a TR-310 will be completed. When the TR-310 is completed, no other report is required. If the vehicles were moved do your diagram and narrative according to the
information you received from the drivers, witnesses. You are allowed to use your opinion when checking the contributed to the accident block. However, your diagram and narrative must support each other and your decision.

3) Accomplish FR-10, SC Dept. of Highways & Public Transportation Notice of Requirement, as indicated in paragraph 1(e), above.

4) Bus and Truck Supplemental Report-

The officer will complete a bus and truck supplemental report if there is a qualified vehicle and a qualified accident. If both the vehicle and accident are not qualified, the accident will be reported on the TR-310 only. If both are qualified, you must complete the TR-310 and the Supplemental Report. There are two conditions that the officer must consider if the incident must be reported on the Supplemental Report.

Qualifying Vehicles: The Accident must involve either:

- a truck having at least 6 tires in contact with the road surface; or

- a vehicle displaying a hazardous material placard; or

- a bus with seating for 16 or more persons including the driver;

AND

Qualifying Accident: The accident must result in:

- at least one fatality; or

- at least one injury severe enough for the injured person to require transportation from the scene for immediate medical attention; or

- at least one involved vehicle sustaining "disabling damage" (damage other than a flat tire which is sufficient to prevent the vehicle from being driven away without repair) or a "disabling event" (an event which requires that the vehicle be moved, up righted, or otherwise assisted by emergency equipment.

The severity criterion applies to any vehicle or persons involved in the accident. If the accident is determined to be
"reportable", a separate supplemental form must be completed for each qualifying vehicle.

**NOTE# 1** See Page 8-8 thru 8-36 of the Investigator Manual for instructions on completing the Bus/Truck Supplemental.

k. After the preliminary investigation is completed, clear the roadway quickly and refrain from blocking any portion of the roadway while completing paperwork.

l. A Uniform Traffic Citation will not be issued for moving violations unless the investigating officer witnessed the accident.

m. Identify witnesses, if any, and allow them to leave.

n. After the officer has completed the on-scene investigation, if the driver and passengers of any vehicle involved were transported from the scene because of injuries, the officer will follow-up by obtaining all the information necessary to complete the investigation and report. When the injuries are minor and all needed information has been obtained at the scene, it is not usually necessary for the officer to conduct a follow-up investigation.

**NOTE 1: Do not write an Incident Report on vehicle accidents. The TR-310 is your report.**

2. In accordance with S.C. Code of Laws Section 56-5-765, all accidents involving police vehicles will be investigated as follows:

a. All accidents resulting from a police pursuit, regardless of whether the police vehicle was involved will be investigated by the Highway Patrol.

b. Accidents involving a departmental vehicle that results in injury or death or with a privately owned vehicle will be investigated by the Highway Patrol.

c. Accidents involving departmental vehicles that do not result in injury or death or with a privately owned vehicle may be investigated by this department. If possible, the driver shall notify the Dispatcher of the accident, give the location and other pertinent information, and request that a Supervisor be dispatched to the scene.

e. If necessary, the Supervisor will direct the Dispatcher to call the S.C. Highway Patrol to investigate the accident. The Supervisor will assign an officer to write an Incident Report for information only. The officer writing
this report will not in any manner interfere with the trooper investigating the accident.

f. The Supervisor will notify the Vehicle Officer, Patrol Commander and Motor Pool if damage is in excess of $500.00, or if injuries or death occur.

g. Injured citizens will not be transported to the hospital in police cars.

3. Wrecker Service

a. Officers requesting wrecker service will make their request through the Dispatcher.

b. The Investigating Officer, not the wrecker driver, is responsible for filling out the Towing Observation Sheet.

c. An officer will standby, and not leave the scene, until the wrecker has cleared with the vehicle in tow.

d. Accident victims may use the wrecker service of their choice when:

1) The victim or driver is not under arrest.

2) The vehicle involved is not causing an immediate traffic hazard, and will be moved within a reasonable time.

3) When a private wrecker is used, the parties involved may be required to make contact with the company themselves.

4) When a wrecker is going to be needed and the drivers are able to communicate, find out from them if they want a wrecker for their vehicles (This is a case where there will not be an impound by the Investigating Officer). The driver should be made aware that the wrecker service cannot be canceled, once the wrecker is enroute.

If a vehicle is impounded and towed pursuant to Public Safety authority, comply with Inventory of Vehicles/Vehicle Contents reflected in this manual.

5. In addition to normal Accident Investigation procedures, when a Department vehicle is involved in an accident, the Motor Pool will be notified.

NOTE: Reference Paragraph 1(j), when serious bodily injury/ death or extenuating circumstances exist, vehicles should not be moved unless absolutely necessary to preserve life or prevent further collisions.

The Chief or his Designee, shall immediately notify the State Law Enforcement Division if there is a death resulting from an incident occurring on the property of the institution.

POLICY AND PROCEDURE #42 Accident Investigations
Upon notification, the State Law Enforcement Division shall participate in a joint investigation of the death. In the case of a death, the State Law Enforcement Division shall lead the investigation.