

P.G. 217-01 Vehicle Accidents - General Procedure

Date Effective: 04-25-03

PURPOSE

To record and determine the cause of each vehicle accident and take or recommend corrective action.

DEFINITIONS

VEHICLE ACCIDENT - An accident which occurs on a public highway, a street between building lines, or private property and involves a vehicle, including a parked vehicle, attended or unattended.

VEHICLE - Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

QUALIFYING VEHICLE - for the purposes of this procedure is:

- a. A truck, tractor, truck-trailer or tractor-trailer having at least six (6) tires in contact with the road surface
- b. Any vehicle displaying a hazardous materials placard
- c. Any vehicle, including a bus, with seating for fifteen (15) or more passengers, in addition to the driver.

PROCEDURE

Upon notification or observation of a vehicle accident:

UNIFORMED MEMBER OF THE SERVICE

1. Park radio motor patrol car behind vehicles involved, so that traffic will not be impeded.
 2. Ascertain if there are any injuries and request ambulance if needed.
 - a. Place IDENTIFICATION TAG (PD317-091) on aided if unconscious and removed to hospital.
 3. Divert traffic, if necessary.
 - a. Use traffic cones, turret lights and danger signs, whenever available.
 - b. Place the first cone at least two hundred (200) feet from the accident on high-speed highways, bridges, etc.
 4. Obtain the driver's license, vehicle registration, and insurance identification card.
 - a. Record required information and return credentials to driver(s).
- NOTE: The following vehicles do not require insurance identification cards:
- a. Taxis, buses and other rented vehicles
 - b. Vehicles operating under the authority of the Public Service Commission and ICC

c. Government owned vehicles

d. Certain farm vehicles.

5. Have vehicles removed from roadway as soon as practical.

6. Determine the cause of the accident by inquiry and observation.

7. Survey the scene carefully and be alert for common insurance fraud indicators (see ADDITIONAL DATA statement).

8. Take summary action, if necessary.

9. Prepare top portion of ACCIDENT INFORMATION EXCHANGE/ACKNOWLEDGEMENT OF FOUND PROPERTY (PD301-092), enter address of command of occurrence and give to operators.

a. Advise operator, if incapacitated, that another participant in the accident, or the owner of the vehicle, must complete the ACCIDENT INFORMATION EXCHANGE/ACKNOWLEDGEMENT OF FOUND PROPERTY form.

NOTE: If no other participant is available to complete the ACCIDENT INFORMATION EXCHANGE/ACKNOWLEDGEMENT OF FOUND PROPERTY form, then it will be prepared by a uniformed member on the scene.

10. Prepare one (1) copy of Police Accident Report (MV104AN).

11. Complete all relevant captions legibly, with particular attention to the following:

a. Account for all passengers in the vehicle taking care to note their seating position, name and injury (if any).

b. Attempt to identify passengers through documentation (photo identification if possible). If unable to do so note on Police Accident Report.

c. Enter passenger information in the "All Involved" section of the Police Accident Report, boxes "A through F."

d. Draw a straight line through every unused box of this section and initial it.

e. Repeat the same process as above on the reverse side of the Police Accident Report, in the "Persons Killed Or Injured In Accident" section, boxes "A through E."

12. Obtain the vehicle identification numbers (VIN) from the dashboard and door of each vehicle involved in the accident.

a. Ensure that they match.

b. List VIN in the "Accident Description/Officer's Notes" caption of the Police Accident Report.

NOTE: If injury is involved, include statement on Police Accident Report as to whether the airbag inflated and deployed, if applicable.

13. Prepare one (1) copy of Truck and Bus Supplemental Police Accident Report (MV104S) if at least one (1) vehicle involved is a qualifying vehicle and the accident resulted in one (1) of the following "conditions of severity" for any person or any vehicle involved:

a. At least one (1) person killed

b. At least one (1) person injured severely enough to require transportation from the scene for immediate medical attention

c. At least one (1) vehicle needed intervening assistance due to an event which required that the vehicle be moved, uprighted, or otherwise assisted by emergency equipment (other than for a flat tire).

NOTE: If an accident involved a qualifying vehicle and a "condition of severity," as described above, a MV104S must be prepared for each qualifying vehicle and attached to the corresponding Police Accident Report.

14. Check appropriate "Duplicate Copy Required For" captions on rear of Police Accident Report and, in addition, check box captioned "Other City Agency," if necessary, and enter:

a. Department of Consumer Affairs - if tow truck licensed by Department of Consumer Affairs is involved in accident.

b. New York City Department of Transportation - if accident involved collision with a "crash cushion" or "highway impact attenuator."

c. Department of Parks - Person killed or injured on roadway under jurisdiction of Department of Parks, or motor vehicle accident resulting in damage to a tree on park land, city street, or on any other public property owned by the City of New York.

d. Missing Persons Squad (Medical Examiner's Liaison Unit) - person killed in accident.

e. Highway District (Accident Investigation Squad) - person killed in accident.

NOTE: Subdivision "d" and "e" above will also be followed when a supplementary Police Accident Report is prepared indicating that a death has resulted at a later date after the original report has been forwarded.

f. New York City Fire Department, Actions and Claims Unit - if accident involves any of the following:

(1) Fire Department vehicles

(2) Health and Hospitals Corporation ambulance (staffed by FDNY - Emergency Medical Service personnel)

(3) Fire hydrants

(4) Fire alarm boxes

g. Board of Education, Office of Pupil Transportation - vehicle accident involving a school bus.

h. NYC Taxi and Limousine Commission - if taxi or for hire vehicle (livery/limousine) is licensed by the NYC Taxi and Limousine Commission.

i. Office of Comptroller - all accidents where City is involved.

15. Inform person(s) involved in accident that copy of Police Accident Report may be obtained at precinct of occurrence:

a. In person, within thirty (30) days of the accident, along with a ten dollar (\$10.00) fee (check or money order only) for each request. A current, valid form of picture identification (driver's license, passport, etc.) is required.

b. By mail request, when received within thirty (30) days of accident, with a ten dollar (\$10.00) check or money order and a self-addressed stamped envelope.

NOTE: Any mail request not accompanied by a photocopy of a current, valid form of picture identification, i.e. driver's license, passport, etc. will be returned.

16. Sign and deliver the Police Accident Reports to the desk officer, precinct of occurrence.

NOTE: The uniformed member of the service preparing the Police Accident Report will deliver the Report to the desk officer, precinct of occurrence, regardless of the member's assignment.

17. Make complete ACTIVITY LOG (PD112-145) entry.

COMMAND CLERK

[I.O. 14 s 04] 18. Make required entries in the Automated Accident Index utilizing FINEST or Local Area Network (LAN) terminals for Police Accident Reports prepared during the tour.

NOTE: Accident numbers are automatically and sequentially issued by the system for each precinct and are composed of a ten (10) digit number consisting of

- a. A three (3) digit precinct number
- b. A two (2) digit year number, and
- c. A five (5) digit serial number.

DESK OFFICER

[I.O. 14 s 04] 19. Review all Police Accident Reports for accidents occurring in the command and ensure that required entries are made in the Automated Accident Index on each tour.

NOTE: The desk officer WILL NOT accept Police Accident Reports for accidents occurring in another command. The uniformed member of the service submitting the Report will be directed to hand deliver it to the desk officer, command of occurrence.

20. Forward to precinct traffic safety officer.

TRAFFIC SAFETY OFFICER

21. Review and sign all Police Accident Reports.

a. In absence of traffic safety officer, a uniformed member of the service, authorized by the commanding officer, will review and sign Police Accident Reports.

22. Forward copies marked "Duplicate Copies For" to appropriate agency.

[I.O. 37 s 04] NOTE: All duplicate Police Accident Reports for outside agencies will be placed in a white envelope, addressed appropriately (e.g., Office of the Comptroller, One Centre Street, New York, NY 10007, attn: CIF Department) and forwarded to the Mail and Distribution Unit.

23. Duplicate and forward accident reports, on a daily basis, to the Highway Unit concerned for accidents occurring on limited access highways.

24. Fax copy of all POLICE ACCIDENT REPORTS involving a "crossover" accident to the Corporation Counsel and the Highway District.

25. Provide to the desk officer for review a daily recapitulation of all accident numbers generated for a given command.

26. Photocopy all completed Police Accident Reports.

27. Maintain a file of completed photocopied Police Accident Reports:

- a. By the month in which the accident occurs
- b. For a minimum of one year.
- c. In a secure locked cabinet.

28. Place original Police Accident Reports for an entire month in an envelope and address the envelope as follows:

a. Accidents NOT involving a fatality and NOT requiring the preparation of a Truck and Bus Supplemental Police Accident Report:

New York State Department of Motor Vehicles
Accident Records Bureau
P.O. Box 2605
Albany, New York 12220-0605

b. Accidents involving a fatality OR accidents requiring the preparation of a Truck and Bus Supplemental Police Accident Report:

New York State Department of Motor Vehicles
Accident Records Bureau
P.O. Box 2084
Albany, New York 12220-2084

c. Forward envelopes to the Mail and Distribution Unit.

MAIL AND DISTRIBUTION UNIT MEMBER

29. Forward original Police Accident Reports received to the New York State Department of Motor Vehicles thirty (30) to sixty (60) days from the accident. Accordingly, all accidents occurring in the month of January will be forwarded March 1st, all accidents occurring in the month of February will be forwarded April 1st, etc.

ADDITIONAL DATA

COMMON INSURANCE FRAUD INDICATORS

a. Minor accident/low impact collision yet all vehicle occupants are claiming injuries

b. The injured passengers are not acquainted with the driver and/or each other

c. Older model vehicles involved in accident with multiple vehicle occupants claiming injuries

d. No debris at the scene but there is nevertheless significant damage to the vehicle(s), indicating that the accident/damage took place elsewhere

e. The driver's description of the accident does not coincide with the damage to the vehicles

f. Differing accounts of the accident are given by the driver and passengers

g. The vehicle driver is eager to assume blame for the accident

h. A post office box is used as an address by the driver, injured occupants and or witnesses.

Include such fraud indicator information in the "Accident Description/Officer's Notes" caption of the Police Accident Report (MV104AN). In addition, when fraud is suspected, notify the Intelligence Division at (718) 765-4300 (24-hour number) and provide all pertinent information. The Intelligence Division analyst will forward the information received to the Special Frauds Squad for review. Special Frauds will transmit this information to the National Insurance Crime Bureau (NICB) where it will be disseminated to the appropriate insurance company investigators. If criminality is established the case can then be referred to the Special Frauds Squad or the Auto Crime Division for investigation. In the Borough of Brooklyn the case will be referred to the Fraudulent Accident Identification Squad for investigation (718) 875-6287.

Prepare Police Accident Report in any vehicle accident case when the City is involved or an animal (horse, dog, domestic cattle, etc.) is killed or injured.

Pending arrival of an ambulance, the uniformed member should allow a sick/injured person to be treated by a doctor, emergency medical technician or paramedic, if person volunteers his/her services, AND the uniformed member reasonably believes the volunteer is a professional. The medical attention should take place, if possible, under the observation of the member concerned. When the emergency situation is under control, request identification from volunteer, including name and address, and record information in ACTIVITY LOG (PD112-145) and under "Details" in Police Accident Report. The volunteer's role is limited to providing medical assistance ONLY. Determination regarding removal procedures via ambulance, Medevac, etc., will be determined by Emergency Medical Service personnel.

[I.O. 13 s 04] A REQUEST FOR COPY OF AIDED RECORD (PD304-161) or REQUEST FOR COPY OF ACCIDENT RECORD (PD301-165), as appropriate, will be given to concerned person upon request at any precinct stationhouse or at the Public Inquiry and Request Section.

A personal injury bicycle accident, NOT involving a motor vehicle, is reported on an AIDED REPORT WORKSHEET (PD304-152b).

New York City Transit's Department of Buses Command Center is notified by direct call ([718] 927-7777) if an accident involves an MTA bus.

If accident involves an arrest for Driving While Intoxicated/Impaired, a copy of the Police Accident Report will be attached to court papers and delivered by the arresting officer to the assistant district attorney in the complaint room.

RELATED PROCEDURES

Forwarding of Fees to Audit and Accounts Section (P.G. 212-82)

Aided Cases General Procedure (P.G. 216-01)

Unidentified Persons (P.G. 216-03)

Accidents - City Involved (P.G. 217-04)

Department Vehicle Accidents (P.G. 217-06)

Private Vehicle Authorized For Police Use-Involved in An Accident (P.G. 217-07)

FORMS AND REPORTS

ACCIDENT INFORMATION EXCHANGE/ACKNOWLEDGEMENT OF FOUND PROPERTY (PD301-092)

ACTIVITY LOG (PD112-145)

AIDED REPORT WORKSHEET (PD304-152b)

IDENTIFICATION TAG (PD317-091)

[I.O.13 s 04] REQUEST FOR COPY OF AIDED RECORD (PD304-161)

[I.O.13 s 04] REQUEST FOR COPY OF ACCIDENT RECORD (PD301-165)

Police Accident Report (MV104AN)

Truck and Bus Supplemental Police Accident Report (MV104S)

P.G. 217-02 Vehicle Accidents Which Result In Death Or Serious Injury And Likely To Die

Date Effective: 01-01-00

PURPOSE

To investigate vehicle accidents in which death has occurred or is likely to occur, and to present facts to the District Attorney.

PROCEDURE

After responding to a vehicular accident in which a fatality has occurred or is likely to occur, follow normal accident procedure and, in addition:

UNIFORMED MEMBER OF THE SERVICE

1. Detain drivers, occupants, vehicles involved and witnesses.

NOTE: In accordance with Vehicle and Traffic Law, Section 1194.1.(b), when requested to do so, all operators of vehicles involved in motor vehicle accidents are required to submit to a breath test for alcohol. This request shall be made automatically of the operators of all vehicles involved in motor vehicle accidents in which a death has occurred or is likely to occur unless:

- a. A vehicle operator must be removed from the scene for immediate medical attention, or

- b. Directed otherwise by a supervisor on the scene.

Uniformed members of the service shall ensure that all operators involved in fatal or likely to be fatal vehicle accidents remain at the scene pending the administration of the field breath test by a member of the Highway Unit.

2. Obtain name, address, home and business telephone numbers of any person who must leave the scene.

3. Request patrol supervisor, precinct detective squad and Highway Unit, Accident Investigation Squad to respond.

4. Notify desk officer.

5. Notify Operations Unit, if perishable merchandise or current newspapers are involved.

6. DO NOT disturb accident scene unnecessarily.

- a. Mark position of vehicle and/or injured person with chalk, if person/vehicle must be moved.

7. Make ACTIVITY LOG (PD112-145) entry.

8. Prepare required reports and deliver to desk officer.

PRECINCT DETECTIVE SQUAD MEMBER(S)

9. Interview witnesses and secure the crime scene pending arrival of the Highway Unit, Accident Investigation Squad.

HIGHWAY UNIT INVESTIGATOR

10. Conduct investigation, take measurements and photos and prepare diagram of scene.
11. Prepare MOTOR VEHICLE ACCIDENT AND MECHANISM REPORT (PD301-151).
12. Prepare WITNESS STATEMENT - VEHICLE ACCIDENT (PD301-061).
13. Deliver reports to Highway Unit concerned.

NOTE: A personal injury bicycle accident, not involving a motor vehicle (i.e., bicycle only or bicycle-pedestrian) which results or is likely to result in death will also be investigated by a Highway Unit officer and recorded as an aided case on AIDED REPORT WORKSHEET (PD304-152b).

DESK OFFICER PRECINCT OF OCCURRENCE

14. Have a separate COMPLAINT REPORT (PD313-152) prepared for each person killed or likely to die as a result of the accident.

a. Classify COMPLAINT REPORT either "Case Open-Investigate Motor Vehicle Accident/Fatal," or "Case Open-Investigate Motor Vehicle Accident/Likely to be Fatal," as appropriate.

15. Record as "Referred to Accident Investigation Squad" and forward copies of COMPLAINT REPORT as indicated on the form.

ASSIGNED MEMBER, ACCIDENT INVESTIGATION SQUAD

16. Forward MOTOR VEHICLE ACCIDENT AND MECHANISM REPORT and WITNESS STATEMENT - VEHICLE ACCIDENT to Highway District.

ADDITIONAL DATA

A designated member of the Accident Investigation Squad will coordinate the investigation and presentation of facts to District Attorney concerned. When a precinct desk officer is notified that a person who sustained an apparent minor injury in a vehicle accident (COMPLAINT REPORT was NOT prepared) has died as a result of the accident, a COMPLAINT REPORT and a supplementary Police Accident Report will be prepared. The COMPLAINT REPORT, supplementary Police Accident Report and a copy of the original Police Accident Report will be forwarded to the Highway Unit concerned. Additionally, the Highway Unit concerned will also be notified by telephone.

RELATED PROCEDURES

Aided Cases - General Procedure (P.G. 216-01)

Vehicle Accidents - General Procedure (P.G. 217-01)

Vehicle Accidents Which Result In Death or Serious Injury.Likely To Die - Mechanical Defect Involved (P.G. 217-03)

FORMS AND REPORTS

ACTIVITY LOG (PD112-145)

AIDED REPORT WORKSHEET (PD304-152[b])

COMPLAINT REPORT (PD313-152)

MOTOR VEHICLE ACCIDENT AND MECHANISM REPORT (PD301-151)

WITNESS STATEMENT - VEHICLE ACCIDENT (PD301-061)

Police Accident Report (MV104AN)

P.G. 217-03 Vehicle Accidents Which Result In Death Or Serious Injury And Likely To Die - Mechanical Defect Involved

Date Effective: 01-01-00

PURPOSE

To examine a vehicle involved in an accident which has resulted or is likely to result in death in order to ascertain if the vehicle is mechanically defective.

PROCEDURE

When a vehicle has been involved in an accident that has resulted or is likely to result in a fatality, and either the operator indicates or Highway Unit personnel suspect that the vehicle has a mechanical defect:

HIGHWAY UNIT OFFICER

1. Prepare MOTOR VEHICLE ACCIDENT AND MECHANISM REPORT (PD301-151).
 - a. Prepare WITNESS STATEMENT-VEHICLE ACCIDENT (PD301-061), if appropriate.
2. Report facts to desk officer, precinct of occurrence, and to assigned member of Accident Investigation Squad.

UNIFORMED MEMBER OF THE SERVICE

3. Summon Department tow truck and have vehicle removed to Department facility.
4. Prepare PROPERTY CLERK'S MOTOR VEHICLE/BOAT INVOICE WORKSHEET (PD571-147a).

DESK OFFICER, PRECINCT OF OCCURRENCE

5. Enter rank, name, and shield number of Highway Unit officer in the Command Log.
 - a. Note in entry if mechanical defect is a possible factor in accident.
6. Make reference to Command Log entry on Police Accident Report (MV104AN).
7. Have PROPERTY CLERK'S MOTOR VEHICLE/BOAT INVOICE (PD571-147) prepared from WORKSHEET, review and sign.

DESK OFFICER/SUPERVISING MEMBER AT DEPARTMENT FACILITY

8. Do not permit removal of vehicle if required as evidence or until the defect has been corrected.
9. Obtain signed statement from person correcting mechanical defect and file in Property Receipt Book.
10. Permit removal of vehicle only by properly equipped tow truck if defect is not corrected, provided vehicle is not required as evidence.

RELATED PROCEDURES

Vehicle Accidents - General Procedure (P.G. 217-01)

Vehicle Accidents Which Result In Death or Serious Injury and Likely to Die (P.G. 217-02)

FORMS AND REPORTS

MOTOR VEHICLE ACCIDENT AND MECHANISM REPORT (PD301-151)

PROPERTY CLERK'S MOTOR VEHICLE/BOAT INVOICE (PD571-147)

PROPERTY CLERK'S MOTOR VEHICLE/BOAT INVOICE WORKSHEET (PD571-147a)
WITNESS STATEMENT-VEHICLE ACCIDENT (PD301-061)
Police Accident Report (MV104AN)

P.G. 217-04 Accidents - City Involved

REVISION: 00 - 04

Date Effective: 09-22-00

PURPOSE

To assist the City in processing cases in which the City may be a plaintiff or defendant.

DEFINITION

CITY INVOLVED - Any reported incident involving personal injury and/or property damage which may involve the City in a civil action.

PROCEDURE

When it is determined that the City may be involved in a civil suit as a result of an accident:

UNIFORMED MEMBER OF THE SERVICE

1. Prepare Police Accident Report (MV104AN), if vehicle accident and check appropriate boxes under caption "DUPLICATE COPY REQUIRED FOR," OR Prepare AIDED REPORT WORKSHEET (PD304-152b) in other cases in which personal injury resulted and the City may be involved, OR Prepare ACCIDENT REPORT - CITY INVOLVED (PD301-155) (only) in all other cases in which the City may be involved and no personal injury resulted (property damage only).

2. Ensure that AIDED REPORT WORKSHEET contains an indication that City is involved and name of City agency involved.

3. Inform persons involved that a claim against the City arising from the incident must be filed with the Comptroller of the City of New York within ninety (90) days.

4. Submit REPORTS to desk officer.

DESK OFFICER

5. Review and sign REPORTS.

6. Direct command clerk to enter information from AIDED REPORT WORKSHEET in OLAS via FINEST or LAN terminal.

7. Forward:

a. Police Accident Report in normal manner

b. ACCIDENT REPORT - CITY INVOLVED as per instructions on form.

(1) Determine City agency involved as indicated below:

NOTE: If Police Department is the ONLY agency involved, dispose of buff agency copy.

CONDITION

AGENCY

Traffic signs, stanchions, signal lights, etc.

* Department of Transportation

Property damage on roadway under

* Department of Parks.

Jurisdiction of Department of Parks, or trees damaged on parkland, City streets, or on any other public property owned by the City of New York.

Damaged fire alarm box/post.

* New York City Fire Department, Actions and Claims Unit.

Lampposts.

* Department of Transportation.

Damage to parkway, through park road, highway, stone wall, curb, fence, guide rail, post, etc.

* Dept. of Transportation, Bureau of Highways, Legal Department.

Accidents on or in immediate vicinity of a ferry, bridge, tunnel, dock, airport or seaplane base.

* Agency concerned.

City hydrants

* Department of Environmental Protection and the New York City Fire Department, Actions and Claims Unit.

School bus Accident

* Board of Education, Office of Pupil Transportation.

Property damage occurring on or emanating from transit facilities (e.g., falling debris from elevated MTA line)

* NYC Transit Law Department

ADDITIONAL DATA

It is not unusual for claims to arise in favor of the City in certain accidents. It is the policy of the City to pursue such claims. Members of the service at the scene of any accident involving the City will detail circumstances which may support claims by the City against private entities. Additionally, members will obtain names and addresses of witnesses at the scene, including potential witnesses favorable to the City. Full cooperation with the involved City agency or the Law Department in pursuing these claims is mandatory.

FORMS AND REPORTS

ACCIDENT REPORT CITY INVOLVED (PD301-155)

AIDED REPORT WORKSHEET (PD304-152b)

Police Accident Report (MV104AN)

P.G. 217-05 Leaving The Scene

Date Effective: 01-01-00

PURPOSE

To investigate reports of leaving the scene of accidents.

PROCEDURE

Upon arrival at scene of vehicle accident involving personal injury and/or property damage, and the operator of one of the vehicles has fled the scene without reporting, follow P.G. 217-01 "Vehicle Accidents - General" and:

UNIFORMED MEMBER OF THE SERVICE

1. Prepare COMPLAINT REPORT WORKSHEET (PD313-152A).

NOTE: A COMPLAINT REPORT is not required if the operator of a vehicle that left the scene of an accident (PROPERTY DAMAGE ONLY) is apprehended and issued a summons for the traffic offense (leaving the scene of accident without reporting) prior to the preparation of a COMPLAINT REPORT.

IF NEW YORK REGISTRATION NUMBER IS OBTAINED

2. Query NYSPIN through the FINEST system to determine if vehicle is reported stolen.

NOTE: DO NOT give complainant hard copy. Provide information by utilizing ACCIDENT INFORMATION EXCHANGE/ACKNOWLEDGEMENT OF FOUND PROPERTY (PD301-092).

3. Obtain name and address of registered owner.
4. Give information to complainant.

IF VEHICLE REGISTERED IN ANOTHER STATE

5. Query NYSPIN through the FINEST System to determine identity of registered owner.

a. Request information needed through an adjoining command, if the command FINEST System is inoperable.

6. Provide complainant with information, if identity of owner is obtained.

NOTE: In determining whether a case should be closed or referred to the detective squad, the following criteria should be considered:

- a. Extent of damage
- b. Whether the facts or degree of damage indicate operator intentionally left scene knowing he caused damage
- c. Availability of witnesses to testify
- d. Timeliness of complaint
- e. Whether the report is being made for prosecution or insurance purposes
- f. Other relevant factors which would have a bearing on this determination.

ADDITIONAL DATA

In PROPERTY DAMAGE ONLY cases, a summons returnable to Motor Vehicle Adjudication Bureau may be served even though the member did not observe the offense (See Vehicle and Traffic Law, Section 602).

RELATED PROCEDURES

General Procedure - Vehicle Accidents (P.G. 217-01)

Vehicle Accidents Which Result in Death Or Serious Injury/Likely to Die (P.G. 217-02)

Summons - Conditions of Service (P.G. 209-01)

FORMS AND REPORTS

ACCIDENT INFORMATION EXCHANGE/ACKNOWLEDGEMENT OF FOUND PROPERTY
(PD301-092)

COMPLAINT REPORT WORKSHEET (PD313-152A)

P.G. 217-06 Department Vehicle Accidents

Interim Order 37 Issued 07-15-04 Suspends Patrol Guide 217-06

PURPOSE

To record and determine the causes of accidents involving Department vehicles, including vehicles leased or rented by the Department, and recommend corrective action.

PROCEDURE

When a Department vehicle is involved in an accident:

MEMBER OF THE SERVICE

1. Request ambulance, if necessary.
2. Request operator, occupants and witnesses to remain pending arrival of patrol supervisor.
 - a. Obtain name, address, home and business telephone numbers of persons involved and witnesses.
3. Request patrol supervisor, precinct of occurrence, to respond.
 - a. If not available, Communications Section will notify patrol supervisor, adjoining precinct to respond.

NOTE: If the operator of the Department vehicle is assigned to other than the precinct of occurrence, a supervisory officer of such member's command, if available, will perform the tasks of the patrol supervisor. If the accident involves death, or serious injury to anyone, the precinct commander/duty captain will be the investigating supervisor. IN ALL CASES, THE FINAL AGENCY DETERMINATION WILL BE MADE BY THE COMMANDING OFFICER OF THE PRECINCT OF OCCURRENCE.

4. Prepare Report of Motor Vehicle Accident (MV104) in all cases.
 - a. If incapacitated, the patrol supervisor will prepare the Report of Motor Vehicle Accident, in addition to other forms.

NOTE: The Police Department, the City Law Department, or their designee, will pursue claims against private entities which are at fault in Department vehicle accidents. Details concerning the cause of the accident including the names of witnesses favorable to the City will be carefully documented on Department forms. A summons will be issued to the operator of a private vehicle if the patrol supervisor determines it is appropriate. A SUMMONS WILL NOT BE ISSUED TO OPERATORS OF DEPARTMENT VEHICLES.

PATROL SUPERVISOR, PRECINCT OF OCCURRENCE

5. Respond to scene.
6. Conduct investigation and interview person's involved/witnesses.
 - a. When accident involves death or serious injury, request persons involved/witnesses to remain pending arrival of precinct commander/duty captain.
7. Notify desk officer and request response of precinct commander/duty captain, as necessary.

NOTE: If preliminary investigation discloses that the driver committed a moving violation or if a fatality occurs, and the driver is a civilian member of the service required to have a Commercial Driver's License (CDL), he/she will be required to submit to alcohol and drug testing. The desk officer concerned will contact the Medical Division at (718) 760-7609, Monday through Friday, 0700 hours to 1600 hours, within one (1) hour of the incident. All other times, contact the Medical Division Sick Desk at (718) 760-7606.

The desk officer will be informed as to the location where the member must be taken for drug and alcohol testing, and will comply with the instructions of the Medical Division supervisor. The member involved MUST remain available for drug and alcohol testing. Unless unavailability is the result of necessary emergency care, a member's failure to be available will be considered a refusal to submit to alcohol and drug testing and will result in disciplinary or other appropriate action.

8. Notify the Operations Unit promptly, if a member of the service is injured and requires hospital treatment.

a. An additional notification to the Operations Unit is also required before final reports are prepared to update Operations of the status of the injured member of the service.

9. Prepare Police Accident Report (MV104AN) in quadruplicate.

a. If injury is involved, include statement on Police Accident Report as to whether the airbag inflated and deployed, if applicable.

b. Indicate if accident occurred when responding to an emergency. If so, state what warning devices were being used, e.g., siren, dome light, etc.

c. Enter member's command and address of that command under caption "Operator's Address."

d. Print in large letters or type "POLICE INVOLVED" at top of form under caption "Police Accident Report."

e. Have two (2) sets of Polaroid photographs taken of all Department vehicle accidents showing damage to all vehicles involved. If accident involves death or injury, photographs will be taken at scene, if possible.

(1) Photographs will be secured in a Jewelry Security Envelope.

NOTE: When completing Police Accident Report fill in each numbered box with the proper entry as determined from the corresponding code list on the cover sheet. If question does not apply, enter "dash" (-). If proper entry for any question is unknown, enter an "X" in the corresponding box.

10. Prepare and sign Report of Motor Vehicle Accident, Police Line of Duty Accident (MV-104L).

a. Attach completed form to Police Accident Report prior to forwarding.

NOTE: Failure to report an accident by forwarding a MV104L to the Commissioner of Motor Vehicles is a misdemeanor and shall constitute grounds for the suspension or revocation of the member's driver's license.

11. Deliver one (1) completed copy of Police Accident Report to operator of Department vehicle involved in accident.

DESK OFFICER, PRECINCT OF OCCURRENCE

12. Notify patrol borough command of accident AND:

a. Request response of duty captain, if death or serious injury is involved and precinct commanding officer is not available.

b. Enter notification and borough accident number obtained in Telephone Record.

MEMBER ON DUTY, PATROL BOROUGH OFFICE

13. Record in Borough Department Vehicle Accident Log:

a. Date, time, precinct of occurrence, location, borough accident #, rank, name and command of supervisor preparing Police Accident Report.

14. FAX consolidated daily Department Vehicle Accident reporting forms directly to the Personnel Safety Desk at (718) 760-7598.

a. Commanding officers will ensure that these reports are submitted no later than 0700 hours each day.

15. Notify the precinct commander/duty captain to respond to scene of accident, if death or serious injury is involved.

a. If precinct commander/duty captain is unable to respond notify available captain (or above) performing duty in borough.

PRECINCT COMMANDER/DUTY CAPTAIN

16. Respond to scene of accident, if death or serious injury involved, conduct investigation, and review actions taken by patrol supervisor.

NOTE: Determine justification of summons, if issued. If not justified, follow P.G. 209-18, "Summons Served Or Prepared In Error."

17. Interview all persons involved in accident and witnesses.

18. Prepare Part A of ACCIDENT REPORT - POLICE DEPARTMENT VEHICLE (PD 301-153), personally.

19. Make a preliminary determination as to the cause of the accident and record on ACCIDENT REPORT - POLICE DEPARTMENT VEHICLE.

a. Consider the actions taken by both the operator and recorder in determining cause of accident.

NOTE: If preliminary investigation reveals that Department vehicle operator was at fault, a statement describing member's fault shall be included in the ACCIDENT REPORT - POLICE DEPARTMENT VEHICLE. Any action taken by the recorder or omitted actions, will also be noted.

20. Ensure that cause(s) of accident is correctly identified and recorded on both the Police Accident Report and ACCIDENT REPORT - POLICE DEPARTMENT VEHICLE.

21. Sign the completed ACCIDENT REPORT - POLICE DEPARTMENT VEHICLE and deliver to desk officer, precinct of occurrence.

NOTE: If vehicle accident does not involve a death or serious injury, steps 17 through 21 will be performed by the patrol supervisor, precinct of occurrence/operator's immediate supervisor.

22. Review the Police Accident Report prepared by the patrol supervisor.

a. If accident involves death or injury, record under caption "Accident Description/Officer's Notes" reviewed by name, rank, command, and sign.

DESK OFFICER, PRECINCT OF OCCURRENCE

23. Notify patrol borough office of name, rank and command of supervisor who prepared the ACCIDENT REPORT - POLICE DEPARTMENT VEHICLE.

24. Notify Fleet Services Division at (718) 476-5665, and obtain Police Accident Serial Number.

25. Enter serial number assigned prefaced by caption "Police Accident Serial Number," at top of Police Accident Report.

a. Enter serial number in designated box on ACCIDENT REPORT - POLICE DEPARTMENT VEHICLE.

26. FAX both sides of the Police Accident Report, Report of Motor Vehicle Accident, Police Line of Duty Accident, and ACCIDENT REPORT - POLICE DEPARTMENT VEHICLE, immediately after serial numbers are obtained from the On Line Accident System, Fleet Services, and borough offices, without the final agency determination captions completed, to the Personnel Safety Desk at (718) 760-7598, twenty four (24) hours a day. No coversheet is necessary.

a. During business hours (0700 x 1830 hours), desk officers will confirm receipt by calling the Personnel Safety Desk at (718) 760-7645/6. If the transmission of reports cannot be completed, a photocopy of the reports will be left for the relieving desk officer to FAX on the next tour. Commands with inoperative FAX machines will utilize a FAX machine in the closest Department facility. It will be the desk officer's responsibility to ensure that this information is expeditiously FAXED to the Personnel Safety Desk on the same tour in which the accident occurred, if possible. Desk officers will ensure, prior to FAXING, that the aforementioned reports are completed in a legible and accurate manner.

27. Indicate on Police Accident Report, under caption, "Duplicate Copy Required For," agencies that are to receive a copy of the Report.

a. Enter command, if vehicle is permanently assigned to other than precinct of occurrence.

28. Send Department vehicle involved in accident (even if no apparent damage) to borough service station with copy of Police Accident Report and set of accident photos attached.

a. Do not place vehicle in service until inspected at service station.

(1) Have speedometer tested before vehicle is used to enforce speed regulations.

(2) Notify speedometer-testing station if vehicle will be out of service for an extended period.

29. Attach copy of Police Accident Report to ACCIDENT REPORT - POLICE DEPARTMENT VEHICLE and forward to precinct commander, with photographs, for endorsement.

30. Forward original copy of Police Accident Report to Traffic Safety Officer for review and processing.

PRECINCT EXECUTIVE OFFICER

31. Convene a Precinct Vehicle Accident Safety Review Board within twenty (20) days of a vehicle accident and review accident report, photographs, and any related reports prepared.

a. Have the Personnel Safety Desk contacted at (718) 760-7645/6 to ascertain the number of Department vehicle accidents in which the operator concerned has been involved.

b. The Board will be composed of:

Precinct executive officer (chairperson)

Lieutenant platoon commander or special operations lieutenant

Integrity control officer or assistant integrity control officer

Precinct training sergeant

Traffic safety officer or designee

Peer member (rank of operator)

Supervisor from operator's command (if other than precinct of occurrence)

NOTE: When the vehicle operator being reviewed is above the rank of captain, the patrol borough executive officer will be the chairperson of the board.

32. Indicate Precinct Vehicle Accident Safety Review Board recommendation by completing Part B of ACCIDENT REPORT - POLICE DEPARTMENT VEHICLE.

NOTE: If the precinct executive officer is unavailable, the precinct commander shall be the chairperson of the board. Factors that led to determination and explanation of delays if board is not convened within 20 days of accident will be the subject of TRAFFICSTAT meetings.

PRECINCT COMMANDER

33. Ensure that the Precinct Accident Safety Review Board process was conducted properly and in a timely fashion, and complete Part C of ACCIDENT REPORT - POLICE DEPARTMENT VEHICLE, indicating Approval/Disapproval of the precinct executive officer's recommendation.

34. Endorse all reports.

a. Forward white copy of ACCIDENT REPORT - POLICE DEPARTMENT VEHICLE, with photographs, copy of Police Accident Report, and any related reports, to Personnel Safety Desk within thirty (30) days of accident.

b. Forward buff copy of ACCIDENT REPORT - POLICE DEPARTMENT VEHICLE, copy of Police Accident Report, and any related reports, to patrol borough office for review of information only.

c. File pink copy of ACCIDENT REPORT - POLICE DEPARTMENT VEHICLE in operator's Personal Folder.

NOTE: The commanding officer of the member concerned must review the ACCIDENT REPORT - POLICE DEPARTMENT VEHICLE, prior to having it filed in the operators personnel folder.

d. File copies of all reports prepared at precinct, in chronological order, under the heading "Department Vehicle Accidents."

NOTE: All Department vehicle accident cases, regardless of the command of the operator, will be heard at the precinct of occurrence by the Precinct Vehicle Accident Safety Review Board. In cases where the Department vehicle accident involved a member assigned to other than the precinct of occurrence, the precinct commander will notify the command/bureau of the member of the service involved that the command/bureau concerned MUST have a supervisor attend the Precinct Vehicle Accident Safety Review Board. Members of the service assigned to the Highway District will be exempted from going through the Precinct Vehicle Safety Review Board or attending PADTU retraining. When a member of the Highway District is involved in a Department vehicle accident, the Highway District will convene a Highway Vehicle Safety Review Board, and if it is deemed that the member needs retraining, the Highway Driver Training School will conduct the retraining.

35. Implement disciplinary (or other) action, if warranted.

36. Develop an accident reduction program for the command and report progress to the patrol borough command concerned.

PATROL BOROUGH EXECUTIVE OFFICER

37. Be accountable for compliance with this procedure AND:

- a. Ensure timely convening of the Precinct Vehicle Accident Safety Review Board.
- b. Chair the Precinct Vehicle Accident Safety Review Board when member being reviewed is above the rank of captain.
- c. Ensure that final "at fault" determinations are accurately made AND recorded on the ACCIDENT REPORT - POLICE DEPARTMENT VEHICLE.
- d. Ensure that completed reports are forwarded to the Personnel Safety Desk within thirty (30) days of the accident.
- e. Ensure that members found "at Fault" are scheduled for AND attend re-training within ninety (90) days (when appropriate). Names of members who require re-training should be forwarded to the Bureau Training coordinator so that training slots can be distributed appropriately.

NOTE: In those cases where the Precinct Vehicle Accident Safety Review Board was chaired by the borough executive officer, the patrol borough commanding officer will provide the review function outlined in step 37c above.

ADDITIONAL DATA

If Department vehicle operator is NOT assigned to precinct of occurrence, duplicate copies of all reports prepared will be forwarded to operator's commanding officer.

If Department vehicle involved in accident is not permanently assigned to precinct of occurrence, send duplicate copies of Police Accident Report and ACCIDENT REPORT - POLICE DEPARTMENT VEHICLE to commanding officer concerned.

All Bureaus (OCCB, Transit, Housing, etc.,) should designate a supervisory member of the service to review reports involving members of their command.

All Bureaus executive officers should review the semi-annual Department Vehicle Accident Summary report prepared by the Personnel Bureau and, where needed, develop appropriate accident reduction programs specific to their bureaus.

Operators of Department vehicles involved in an accident are advised to stop the vehicle immediately; extinguish any cigarettes; utilize four-way flashers; raise the

vehicle's hood; and utilize flares or any other warning devices. The vehicle should be moved only if its location is hazardous and likely to cause additional accidents.

When deemed appropriate, if accident involves death or injury, the responding precinct commander/duty captain may immediately direct that the operator and/or recorder not be assigned to duty in a Department vehicle, if such action is based upon his/her determination, after investigation at the scene. This immediate action, as well as any further action, will be subject to review by the member(s) precinct/unit commander. All proposed disciplinary action will be indicated on the ACCIDENT REPORT - POLICE DEPARTMENT VEHICLE as a recommendation.

If the need to review a member of the service under the provisions of P.G. 206-13, "Interrogation Of Members Of The Service" becomes apparent and a serious violation is alleged or sufficient justification is present, although the violation is minor, a member will be permitted sufficient time to have a representative respond prior to start of interview.

Members of the service who were involved in Department vehicle accidents in which it has been determined that the member's driving ability was a contributory factor to the incident would benefit from the Driver Training Unit's "Accident Reduction Course." However, depending upon the circumstances, other corrective measures such as disciplinary action may be more appropriate. Therefore, to insure that only those members who would benefit are scheduled for retraining, the following guidelines are offered.

Driver retraining should be implemented only if the operator of a Department vehicle is determined to be at fault due to a driving deficiency, based on factors such as:

- a. weather conditions which affect the road surface
- b. loss of control
- c. backing
- d. fender judgment
- e. mirror usage (vans)
- f. avoiding obstructions, debris, potholes
- g. braking
- h. turn negotiation

The precinct/unit commander will be responsible for ensuring that appropriate individuals attend accident retraining within ninety (90) days of the accident. These provisions will be strictly adhered to absent exigent circumstances, i.e., extended sick leave or other valid reasons preventing timely retraining.

Commanding officers are reminded that the Driver Training Unit is a tool best utilized to improve a member's overall driving performance. It should not be viewed as disciplinary action. The Commanding Officer, Driver Training Unit, is available to all commanders for conferral whether scheduling a specific member for retraining would be appropriate.

New York State Vehicle and Traffic Law (Section 1104 A - V.T.L.) allows the driver of an authorized emergency vehicle, when involved in an emergency operation, to disregard regulations with certain conditions. These conditions include proceeding past a steady red signal, but only after slowing down as may be necessary for safe operation, or exceeding the maximum speed limits as long as life and property are not endangered. However, it should be noted that disciplinary action would be more appropriate than

driver retraining for those members who are involved in vehicle accidents which occurred as a result of their unsafe disregard of such regulations, as opposed to the member merely having deficient driving skills.

Report vandalism to a Department vehicle on Typed Letterhead to Fleet Services Division and deliver report to borough service station with vehicle.

Commanding Officer, Personnel Safety Desk, will forward a copy of reports received to Police Academy, Driver Training School.

Amounts of property damage sustained are often unable to be determined in a timely fashion, and whether an injury has in fact occurred, or will be claimed at a future date, is often undetermined. Therefore, investigating supervisors of uniformed members of the service involved in a Department vehicle accident will prepare a MV104L. The MV104L will be prepared at the time of the accident and attached to the Police Accident Report (MV104AN) prior to forwarding. Civilian members of the service involved in a Department vehicle accident will prepare MV104. The MV104 will be prepared at the time of the accident and should the member of the service involved be incapacitated and unable to complete the form, the investigating supervisor will do so. (This is in addition to the Police Accident Report [MV104AN] prepared by the investigating supervisor). Failure to report an accident by a civilian member of the service to the Commissioner of Motor Vehicles, by not forwarding a copy of a MV104, is a misdemeanor and shall constitute grounds for the suspension or revocation of the member of the service driver's license.

In accordance with New York State Insurance Department Regulations, the operator of a Department vehicle may not be penalized (charged) by a private insurance company for a Department vehicle accident that occurred during the performance of duty. Likewise, insurance companies may not cancel a member of the service's personal automobile insurance policy on the basis of such accidents.

In the event that a member of the service's private automobile insurance policy is surcharged, cancelled, or not renewed unjustifiably as a result of a Department vehicle accident, such member should notify his/her commanding officer. The commanding officer concerned will prepare an OFFICIAL LETTERHEAD (PD158-151) to the insurance company concerned, (see Sample). The member concerned should also contact:

The New York State Insurance Department
Consumer Services
160 West Broadway
New York, New York 10013

SAMPLE

(Date)

(Rank) (Name)
Commanding Officer (Pct.)
(Street Address)

(Insurance Company Name)
(Street Address)
(City, State)

Re: (RANK, NAME OF MEMBER OF THE SERVICE INVOLVED)
ACCIDENT (NUMBER)
(DATE OF ACCIDENT)

Dear Sir or Madam:

I am the commanding officer of (Rank, Name of member of the service involved). This letter is to inform (Name of Insurance Company) that (Name of member of the service involved) is a member of the New York City Police Department, and that the above referenced accident occurred during the performance of his/her duty with the Police Department. Therefore,

pursuant to New York State Insurance Regulation Section 169.1(d) (iv) of Title 11 of the NYCCRR, no surcharge may be imposed for the above referenced accident.

Very truly yours,
(Rank) (Name)

RELATED PROCEDURES

General Procedures - Vehicle Accidents (P.G. 217-01)

Vehicle Accidents Which Result In Death or Serious Injury/Likely to Die (P.G. 217-02)

Accidents In Which The City Is Involved (P.G. 217-04)

Vehicle Pursuit (P.G. 212-39)

Reporting Sick From Outside City And Outside Residence Counties (P.G. 205-05)

FORMS AND REPORTS

ACCIDENT REPORT-POLICE DEPARTMENT VEHICLE (PD301-153)

OFFICIAL LETTERHEAD (PD158-151)

Police Accident Report (MV-104AN)

Report of Motor Vehicle Accident (MV104)

Report of Motor Vehicle Accident, Police Line of Duty Accident (MV-104L)

Typed Letterhead

P.G. 217-07 Accidents - Private Vehicles Authorized For Police Use

Date Effective: 01-01-00

PURPOSE

To record and process vehicular accidents involving privately owned vehicles authorized for police use by members of the service (uniformed or civilian).

PROCEDURE

When involved in an accident while operating an authorized private vehicle in the performance of police duty:

MEMBER OF THE SERVICE

1. Notify precinct of occurrence.
 - a. Request response of patrol supervisor.
2. Prepare Report of Motor Vehicle Accident (MV104) in all cases.
 - a. If incapacitated, the patrol supervisor will prepare the Report of Motor Vehicle Accident (MV104), in addition to other forms.

PATROL SUPERVISOR, PRECINCT OF OCCURRENCE

3. Respond to scene.
4. Prepare Police Accident Report (MV104AN).
 - a. Under caption "Operator's Address," enter member's command and address of that command.
 - b. Under caption "Duplicate Copy Required For," check box marked "Office of Comptroller (City Involved)" and any other boxes that apply.
 - c. If injury is involved, include statement on Police Accident Report as to whether the air bag inflated and deployed, if applicable.
 - d. Have Polaroid photographs taken of accident showing damages to all vehicles involved.
 - (1) If accident involves death or injury, photographs will be taken at scene, if possible.

NOTE: If preliminary investigation discloses that the driver committed a moving violation or if a fatality occurs, and the driver is a civilian member of the service required to have a Commercial Driver's License (CDL), he/she will be required to submit to alcohol and drug testing. The desk officer concerned will contact the Medical Division at (718) 760-7609, Monday through Friday, 0700 hours to 1600 hours, within one (1) hour of the incident. All other times, contact the Medical Division Sick Desk at (718) 760-7606. The desk officer will be informed as to the location where the member must be taken for drug and alcohol testing, and will comply with the instructions of the Medical Division supervisor. The member involved MUST remain available for drug and alcohol testing. Unless unavailability is the result of necessary emergency care, a member's failure to be available will be considered a refusal to submit to alcohol and drug testing and will result in disciplinary or other appropriate action.

5. Furnish member involved in accident with two (2) duplicated copies of Police Accident Report and set of accident photos for submission to Fleet Services Division and Deputy Commissioner - Management and Budget.

6. Direct member concerned to:

- a. Obtain Police Accident Serial Number from Fleet Services Division and
- b. Bring vehicle, with copy of Police Accident Report and set of accident photos, to Fleet Services Division for inspection and estimate of damage.

(1) If vehicle is inoperable, notify Fleet Services Division to send a qualified person to estimate damage.

NOTE: If vehicle is inoperable, member is entitled to have vehicle removed by Department Tow to one (1) location of choice, within New York City.

7. Submit four (4) copies of report, on Typed Letterhead, to precinct commander, summarizing accident and indicating any driving deficiency.

PRECINCT COMMANDER

8. Investigate, if a deficiency was determined, and take appropriate disciplinary action.

9. Endorse patrol supervisor's report:

- a. If in doubt regarding member's driving ability, request retesting and/or retraining by the Police Academy Driver Training Unit.
- b. Direct a record of accident be entered in the operator's personal folder.
- c. Forward report, as follows:
 - (1) Original - Chief of Department
 - (2) Duplicate - Personnel Safety Desk
 - (3) Triplicate - Deputy Commissioner - Management and Budget
 - (4) Quadruplicate - Precinct file.

NOTE: If member is not permanently assigned to precinct of occurrence, indicate on reverse side of Police Accident Report that a duplicated copy is required for member's permanent command. Send copy of patrol supervisor's report to commanding officer concerned.

WHEN CLAIMING REIMBURSEMENT FROM THE CITY FOR DAMAGE TO PRIVATELY OWNED VEHICLES INCURRED IN THE LINE OF DUTY

MEMBER OF SERVICE

10. Prepare report, in duplicate, on Typed Letterhead, addressed to Deputy Commissioner - Management and Budget, including:

- a. Time and date of occurrence.
- b. Description of incident, including a full description of auto: year, make, model, number of cylinders and registration.

c. A copy of any entry made in other Department record(s), regarding particulars of accident, as appropriate.

d. Statement that member is not claiming reimbursement for property damage from a private insurance carrier.

e. Statement that upon receipt of reimbursement from the city, the member will assign to the city any rights to reimbursement for property damage arising from the incident.

11. Obtain and attach to report:

a. Damage estimates from two (2) separate auto body collision repair shops

b. Copy of Police Accident Report.

NOTE: If vehicle is inoperable only one (1) outside estimate is required.

12. Submit report, with attachments, to commanding officer.

COMMANDING OFFICER, MEMBER CONCERNED

13. Investigate and endorse request, to include:

a. Facts as stated in request.

b. Whether member had authorization to use vehicle at time of incident.

c. Existence of any other official record(s) covering date and time of occurrence.

d. Recommendation to APPROVE/DISAPPROVE request.

14. Forward report, with attachments, to commanding officer of next higher level of command.

COMMANDING OFFICER, NEXT HIGHER LEVEL OF COMMAND

15. Review request and attachments.

16. Indicate APPROVAL/DISAPPROVAL of request.

17. Forward, through channels, to Deputy Commissioner - Management and Budget.

DEPUTY COMMISSIONER MANAGEMENT

18. Review request and attachments.

a. Endorse to the Director, Fleet Services Division.

FLEET SERVICES DIVISION

19. Examine private vehicle of member concerned.

a. Prepare an estimate of repairs

b. Forward estimate with recommendations of amount to be paid to Deputy Commissioner - Management and Budget.

DEPUTY COMMISSIONER MANAGEMENT AND BUDGET

20. Review request and recommendation.

21. Determine reimbursement amount, if any.

22. Prepare affidavit and assignment.

a. Forward to member concerned requesting notarized signature.

MEMBER OF THE SERVICE

23. Sign and have notarized the affidavit and assignment form.

24. Return to Deputy Commissioner - Management and Budget (DIRECT).

DEPUTY COMMISSIONER MANAGEMENT AND BUDGET

25. Indicate APPROVAL or DISAPPROVAL, upon receipt of affidavit and assignment form.

26. Return DISAPPROVED requests to requesting member by endorsement.

27. Forward APPROVED request with affidavit to Audit and Accounts Unit for payment processing.

a. Forward two (2) copies of approved payments eligible for subrogation to Deputy Commissioner - Legal Matters.

AUDIT AND ACCOUNTS UNIT

28. Process reimbursement payments approved by Deputy Commissioner - Management and Budget.

DEPUTY COMMISSIONER LEGAL MATTERS

29. Review reimbursement payments forwarded by Deputy Commissioner-Management and Budget.

30. Determine if cases should be forwarded to the appropriate city agency for the recovery of reimbursements paid by the Department (subrogation).

ADDITIONAL DATA

Vandalism to vehicles will be reported to the Fleet Services Division, on Typed Letterhead, and delivered with the vehicle to that unit.

RELATED PROCEDURES

The Police Department will not bear responsibility for any personal items stolen from the vehicle or damaged in the accident.

FORMS AND REPORTS

Private Vehicles Authorization (A.G. 325-14)

Police Accident Report (MV104AN)

Report of Motor Vehicle Accident (MV104)

Typed Letterhead

P.G. 217-08 Aircraft Accidents

Date Effective: 01-01-00

PURPOSE

To determine the cause of, and record data concerning aircraft accidents.

PROCEDURE

On arrival at the scene of an aircraft accident follow P.G. 216-01, "Aided Cases - General Procedure," and in addition:

UNIFORMED MEMBER OF THE SERVICE

1. Request patrol supervisor to respond.
2. Notify the desk officer.
3. Detain pilot and aircraft.
4. Safeguard evidence until examined by authorized personnel.
5. Advise the owner or pilot of his responsibility to report the accident to the desk officer within ten (10) hours and that failure to do so is a misdemeanor.

DESK OFFICER

6. Notify:
 - a. Detective squad concerned
 - b. Operations Unit
 - c. Duty captain
 - d. Borough office.

SUPERVISING OFFICER IN COMMAND

7. Prepare and forward report of unusual occurrence with two (2) extra copies for Commanding Officer, Special Operations Division.

NOTE: An authorized investigator, FAA or Aviation Unit, determines the cause of the accident, supplies the necessary information to the detective concerned and recommends the release of the pilot and the plane when feasible.

FORMS AND REPORTS

UNUSUAL OCCURRENCE REPORT (PD370-152)

P.G. 217-09 Directed Accident Response Program (D.A.R.P.)

Date Effective: 01-01-00

PURPOSE

To direct the response of designated tow trucks, through the Communications Section, to the scene of vehicular accidents, for vehicles which the reporting member deems unsafe to be driven, except that an operator of a vehicle with a gross vehicle weight of fifteen thousand (15,000) pounds or more may choose their own company to respond.

SCOPE

This procedure does not include accidents occurring in tunnels, on bridges, or arterial highways serviced by franchised towing companies under permits issued by Department of Transportation (see P.G. 212-08, "Activity Logs"). Additionally, Administrative Code Section 20-524, Subdivision "c," exempts any governmental agency from the operation of this law. Therefore, when a government vehicle is damaged in an accident, the operator of the vehicle may call his or her own tow service. Pertinent provisions of the Administrative Code applicable to the Directed Accident Response Program state:

a. Section 20-518 (a) (3) - All participants in the program shall maintain a business premises that is under exclusive control of the participant, is not used by any other towing company and is the premises listed on such participant's license to engage in towing. Such premises shall consist of a location that is open to the public, where towing company personnel are employed, calls requesting towing service are received and towers dispatched, and where all records required by this subchapter or any rules promulgated thereunder are maintained.

b. Section 20-518 (b) - The vehicle removed from the accident scene at the direction of the Police Department shall be removed by a tow truck of a company participating in the Directed Accident Response Program. At all times the vehicle shall be stored within such storage facility as listed on the license of the towing company responding to the Police Department's direction to remove the vehicle. Such premises shall be owned, operated or controlled by such towing company and shall not be used by any other towing company.

PROCEDURE

Upon arrival at an accident scene:

UNIFORMED MEMBER OF THE SERVICE

1. Comply with pertinent provisions of P.G. 217-01, "General Procedure - Vehicle Accidents"

2. Ascertain if vehicle(s) can be safely driven, or if towing is required using reasonableness as a standard.

a. Operators of government vehicles or vehicles with a maximum gross vehicle weight of fifteen thousand (15,000) pounds or more may use their own tow company.

b. A uniformed member may authorize the removal of a vehicle which cannot be safely driven if the owner/operator is incapacitated, is not present, or refuses to authorize the tow.

NOTE: Once the uniformed member makes a determination that a tow truck is needed, the request may not be cancelled.

3. Notify Communications Section dispatcher when towing service is needed.

a. The notification will include the color, body type and plate number(s) of the vehicle(s) requiring a tow.

NOTE: DO NOT TRANSMIT THE MAKE, MODEL OR YEAR OF THE DISABLED VEHICLE(S) INVOLVED IN AN ACCIDENT.

COMMUNICATIONS SECTION DISPATCHER

4. Inform uniformed member at the scene of the name of the towing company responding.

5. Dispatch patrol supervisor.

NOTE: The Directed Accident Response Program operator at the Communications Section will maintain a list of tow companies participating in each zone and will make notifications on a strict rotation basis. PRECINCT COMMANDS ARE NOT AUTHORIZED TO MAKE NOTIFICATIONS.

UNIFORMED MEMBER OF THE SERVICE

6. Allow only the tow truck dispatched by the Communications Section to remove vehicle(s), except:

a. Where motorist(s) indicates that a private towing company will be requested and the vehicle involved has a gross vehicle weight of fifteen thousand (15,000) pounds or more.

b. Arrest evidence vehicles

c. Vehicles held as investigatory evidence

d. Vehicles subject to the Rotation Tow Program as stolen or abandoned

e. Government vehicles.

7. Remain on scene for thirty (30) minutes after radio dispatcher advises which tow company is responding.

NOTE: If the assigned tow company is not on the scene within thirty (30) minutes of being assigned by the Communications Section, the uniformed member will request the Communications Section to cancel the initially requested tow company and assign the next tow company in the rotation. The uniformed member will prepare a REPORT OF VIOLATION (PD672-151) for the tow company that was cancelled and advise the dispatcher when resuming patrol. The Communications Section Dispatcher will enter the appropriate final disposition code to indicate the unit has departed the accident scene prior to the arrival of the DARP tow operator (Code Signal 10-99T9).

8. Inform motorist(s) involved of name of tow company responding.

a. Supply the motorist(s) involved with the telephone number of the Directed Accident Response Program operator (212) 374-4290 and instruct the motorist(s) to call after thirty (30) minutes, if the tow truck has not arrived. Inform the motorist to be prepared to give the Directed Accident Response Program operator both the vehicle plate number and the location of the accident.

9. Enter tow company information on Police Accident Report (MV104AN) only when the vehicle is towed and the tow company is known.

10. Comply with the following, if an unsolicited tow truck arrives or is found at the scene:

a. If there is probable cause to believe that a tow operator has traveled enroute to, or responded to the accident scene without having a specific request for service from a person in charge of either a government vehicle or a vehicle with a maximum gross vehicle weight of fifteen thousand (15,000) pounds or more or from the Police Department, issue summons for violation of Administrative Code, Section 20-518(b)(2) (unsolicited response by tow operator).

(1) Prepare a REPORT OF VIOLATION.

b. In those cases where there is probable cause to believe that a tow operator has solicited any of the involved parties, issue an additional summons for violation of Administrative Code, Section 20-515, subdivision (b) (soliciting for towing at the scene of a vehicular accident). This also applies to persons soliciting at an accident scene from a private vehicle.

(1) Include this additional information on the REPORT OF VIOLATION.

c. Seize any unlicensed tow truck which is observed either, (1) responding to an accident scene, or (2) parked in the vicinity of the accident while the operator of the tow truck is observed offering to tow a vehicle with the tow truck, or (3) present at the accident scene (see P.G. 209-29, "Seizure of Unlicensed Tow Trucks").

PATROL SUPERVISOR

11. Respond to location and supervise the removal of involved vehicles.

12. Supervise the issuance of summonses to tow truck operators when summonses are issued.

13. Insure the preparation of REPORT OF VIOLATION when warranted.

a. If a witness advises that a tow company removed a vehicle from the scene prior to the officer's arrival have REPORT OF VIOLATION prepared. Include witness' name, address and telephone number, if obtained.

DESK OFFICER

14. Direct reporting officer to have information regarding a vehicle which is towed without the owner/operator's knowledge (e.g., operator unconscious and removed to hospital, no operator with vehicle, vehicle was parked and is now impeding traffic, etc.) entered into the FINEST system utilizing the "IMPOUND" screen.

a. Ensure that notification is sent to registered owner of vehicle.

NOTE: If inquiry is made at stationhouse and information is not available through FINEST System "IMPOUND" screen, call DARP operator at (212) 374-4290 for vehicle's location.

15. Review and sign REPORT OF VIOLATION.

16. Assign precinct serial number to REPORT OF VIOLATION.

17. Have REPORT OF VIOLATION forwarded to Department of Consumer Affairs, Licensing Enforcement Section, 42 Broadway, New York, New York 10004.

ADDITIONAL DATA

The tow truck dispatched by the Directed Accident Response Program will possess, and must present for inspection, a "Tow Authorization" form that must include a Department of Consumer Affairs license number. The tow trucks and tow operators must be licensed by the Department of Consumer Affairs.

Uniformed members advising the radio dispatcher of a final disposition from the scene of an accident must utilize one (1) of the following disposition codes as it pertains to that particular accident situation:

- a. 10-99T4 Vehicle Accident (No tow required)
- b. 10-99T5 Vehicle Accident (D.A.R.P. tow service)
- c. 10-99T6 Vehicle Accident (Other tow service)
- d. 10-99T7 Vehicle Accident (D.A.R.P. and other tow service)
- e. 10-99T8 Vehicle Accident (Highway-authorized tow service)
- f. 10-99T9 Vehicle Accident (D.A.R.P. requested, waited thirty [30] minutes, made second [2nd] request, resumed patrol)

The following violations of Department of Consumer Affairs regulations will be entered under "Additional Information" on REPORT OF VIOLATION:

- a. UNJUSTIFIABLE REFUSAL to accept towing assignments
(1) Violation - Article XI, subdivision F (DARP)
- b. REPEATED UNJUSTIFIABLE REFUSALS to accept towing assignments
(1) Violation - Article XI, subdivision L (DARP). (List times and dates of such refusals).

Uniformed members of the service will refrain from using any other final disposition code when a vehicle accident is involved EXCEPT if upon arrival, the vehicle(s) is not at the scene and there is no information available concerning how it was removed. In this instance, Code Signal 10-90Z [Gone on Arrival] will be utilized.

RELATED PROCEDURES

General Procedure - Vehicle Accidents (P.G. 217-01)
Seizure Of Unlicensed Tow Trucks (P.G. 209-09)

FORMS AND REPORTS

Police Accident Report (MV104AN)
REPORT OF VIOLATION (PD672-151)

P.G. 217-10 Accidents - Department Property

Date Effective: 01-01-00

PURPOSE

To report damage to Department property other than Department vehicles.

PROCEDURE

Upon discovery of damaged property:

UNIFORMED MEMBER OF THE SERVICE

1. Report facts to desk officer and make ACTIVITY LOG (PD112-145) entry.

DESK OFFICER

2. Have patrol supervisor investigate facts and prepare report , including:

- a. Date and time of occurrence
- b. Details
- c. Department property involved
- d. Damage to other property
- e. Owner of that property
- f. Action
- g. Witnesses
- h. Brief description of injury.

PATROL SUPERVISOR

3. Submit report to command clerk.

COMMAND CLERK

4. Type report on Typed Letterhead (four [4] copies).

- a. Submit to desk officer/counterpart.

DESK OFFICER

5. Have patrol supervisor sign report.

6. File one (1) copy of report and forward three (3) copies, direct, as follows:

PROPERTY	TO
Booths, buildings	Deputy Commissioner - Management and Budget, Administrative Services Division
Horses	Mounted Unit
Aircraft, launches	Special Operations Division

RELATED PROCEDURES

Department Vehicle Involved In An Accident (P.G. 217-06)

FORMS AND REPORTS
ACTIVITY LOG (PD112-145)
Typed Letterhead

P.G. 217-11 Accidents - New York City Housing Authority Involved

Date Effective: 01-01-00

PURPOSE

To assist the New York City Housing Authority in processing cases in which the New York City Housing Authority may be a plaintiff or defendant.

DEFINITION

N.Y.C.H.A. INVOLVED - ALL accidents involving serious injury or death, or an aided case which may involve the Housing Authority in legal action.

PROCEDURE

When it is determined that the New York City Housing Authority may be involved in legal action, comply with normal aided or accident procedures and in addition:

UNIFORMED MEMBER OF THE SERVICE

1. Prepare FIELD REPORT (PD313-1511).
2. Ensure that FIELD REPORT contains:
 - a. Contributory conditions of areas, i.e., no lights in stairwell, rubbish on stairs, broken sidewalk, icy condition, etc., OR
 - b. Non-contributory conditions of area, i.e., stairwell well lighted, dry, no obstructions noted, sidewalk dry and clear of obstructions, etc.
3. Telephone PSA desk officer and report all pertinent details of the incident.

DESK OFFICER

4. Make determination as to the severity of the incident and in appropriate cases, make the following notifications:
 - a. During business hours, Monday through Friday, notify the manager of the Housing Authority location concerned, when appropriate, AND forward copies of all reports prepared to the New York City Housing Authority, Law Department Tort Division, 75 Park Place, 11th Floor, New York, New York 10007.
 - b. After business hours and on holidays and weekends, notifications will be made in accordance with subdivision "a" above, by the desk officer on the next business day following the incident.
5. Make appropriate Command Log entry of notification, including name of person notified.

ADDITIONAL DATA

Notifications with respect to serious injury or death incurred as a result of a criminal action shall be excluded from the provisions of this procedure.

Copies of all reports, including ACCIDENT REPORT - CITY INVOLVED (PD301-155) if prepared, will be forwarded to the Housing Authority Insurance Division for informational purposes (see P.G. 217-04, "Accidents In Which The City Is Involved").

It is not unusual for claims to arise in favor of the Housing Authority in certain accidents. It is the policy of the Housing Authority to pursue such claims. Members

of the service at the scene of an accident involving the Housing Authority, will detail circumstances which may support claims by the Housing Authority against private entities. Additionally, members will obtain names and addresses of witnesses at the scene, including potential witnesses favorable to the Housing Authority. Full cooperation with the Housing Authority or the New York City Law Department in pursuing these claims is mandatory.

RELATED PROCEDURES

Accidents In Which The City Is Involved (P.G. 217-04)

FORMS AND REPORTS

ACCIDENT REPORT - CITY INVOLVED (PD301-155)

FIELD REPORT (313-1511)

P.G. 217-12 Notifications - Certain Accident Cases

Date Effective: 01-01-00

PURPOSE

To notify concerned agencies in certain accident cases.

PROCEDURE

Upon being informed of any of the following types of accidents:

DESK OFFICER

1. Notify Operations Unit direct if incident involves:

- a. Bridge, on, near or affecting dock, affecting structure
- b. Explosives, vehicle transporting
- c. Police signal box damaged (also notify Communications Section)
- d. Railroad, other than subway
- e. Sprinkler system inoperative
- f. Tunnel, in or affecting.

2. Notify the agency direct if incident involves:

* Building, affecting structure	* Department of Buildings (212) 312-8010
* Bus, MTA	* N.Y.C. Transit (718) 240-3333
* Crane	* Department of Buildings (212) 312-8010
* Elevator	* Department of Buildings (212) 312-8010
* Fire alarm box or post damaged	* Fire Dept., Borough Fire Headquarters
* Housing, persons requiring shelter	* Dept. of Social Services,
* Scaffold	* Department of Buildings (212) 312-8010
* Subway	* N.Y.C. Transit (718) 330-4377

P.G. 217-13 Preparing, Ammending, and Releasing Police Accident Reports (MV 104AN) To Involved Parties Appearing In Person At A Police Facility

Date Effective: 04-25-03

PURPOSE

To minimize the means by which any involved party, that has an interest in a motor vehicle accident which has occurred, can commit insurance fraud.

DEFINITION

INVOLVED PARTY - Any party/person(s) having an interest in a motor vehicle accident which has occurred. This would include, but is not limited to, the following: motorists, passengers, property owners (whose property is damaged as a result of the accident), an executor or administrator of the estate, next of kin, or insurance beneficiary of person killed in the accident, the parent or guardian of a minor involved in the accident, spouses, insurance company representatives, dependents in a Worker's Compensation claim, and attorneys.

PROCEDURE

When an involved party appears in person at a police facility and requests that a Police Accident Report be prepared, amended, or released for an accident which occurred within the last thirty (30) days:

TRAFFIC SAFETY OFFICER/ASSIGNED UNIFORMED MEMBER OF THE SERVICE (UMOS)

1. Ask involved party requesting copy of Police Accident Report:

[I.O. 13 S 04] a. To prepare REQUEST FOR COPY OF ACCIDENT RECORD (PD301-165)

b. When and where accident occurred, and

c. To present a current, valid form of picture identification (driver's license, passport, etc.)

NOTE: No request will be honored without a current, valid form of picture identification. In addition to picture identification, an attorney must also present a notarized letter signed by the party concerned, stating that he/she is being represented by the attorney.

2. Inform person concerned that a ten dollar (\$10.00) non-refundable fee is required.

3. Make:

a. Two (2) photocopies of Police Accident Report

b. One (1) photocopy of involved party's picture identification.

4. Ensure that copies of Police Accident Report are correct.

5. Collect fee, drawn to the order of "Police Department, City of New York," on one (1) of the following instruments:

a. Certified check

b. Bank teller's check

c. United States Postal Money Order

d. Personal check

(1) Signed by requestor

(2) Not post dated

e. Corporate check.

6. Prepare FEE RECEIPT (PD122-017) and give to requestor with one (1) copy of Police Accident Report.

NOTE: If involved party opts to file a REQUEST FOR COPY OF ACCIDENT RECORD (PD301-165) by mail, instruct them on what valid form of identification must be included with their request in order to receive a copy of a Police Accident Report. Any mail request not accompanied by a photocopy of a current, valid form of picture identification, i.e. driver's license, passport, etc. will be returned. When the request is received along with a valid form of identification and the appropriate fee (check or money order only), place the FEE RECEIPT and a copy of a Police Accident Report in self addressed stamped envelope and mail to requestor.

7. Indicate the following on REQUEST FOR COPY OF ACCIDENT RECORD:

a. Name of person receiving copy of Police Accident Report

b. Type of check/money order used and number

c. FEE RECEIPT number

8. Give carbon copy of REQUEST FOR COPY OF ACCIDENT RECORD to requestor.

9. Staple to the original REQUEST FOR COPY OF ACCIDENT RECORD:

a. Second photocopy of Police Accident Report

b. Photocopy of picture identification with Police Accident Report number written on the top right hand corner

10. File chronologically on a daily basis.

NOTE: Requests for Police Accident Reports from other governmental agencies conducting official business will NOT be subject to a fee.

a. Indicate "NO FEE" and the agency's name on the REQUEST FOR COPY OF ACCIDENT RECORD.

11. Affix the imprint of the precinct rubber stamp on the back of check/money order and complete necessary captions.

12. Give collected fee to operations coordinator.

OPERATIONS COORDINATOR

13. Have fee safeguarded pending delivery to patrol borough command as detailed in P.G. 212-82, "Forwarding of Fees to Audit and Accounts Section."

INTEGRITY CONTROL OFFICER

14. Ensure that fee is properly collected and forwarded to patrol borough command.

ADDITIONAL DATA

Uniformed members of the service are required by law to complete a Police Accident Report and investigate the facts whenever any person(s)/party appear at a police facility and report the following:

ANY ACCIDENT which:

a. Results in serious injury or death to a person must be investigated in accordance with P.G. 217-02, "Vehicle Accidents Which Result in Death or Serious Injury and Likely to Die."

b. Results in injury to a person and the motor vehicle accident in question is being reported within five (5) days after such accident.

c. Involves a commercial vehicle where the damage incurred is disabling enough to result in a vehicle being towed from the accident scene and the motor vehicle accident in question is being reported within five (5) days after such accident.

Regarding the above circumstances, if the criteria as stated are met, the person(s)/party requesting the completion of a Police Accident Report will be referred to the command where the accident took place. ONLY A UNIFORMED MEMBER OF THE SERVICE (UMOS) will prepare a Police Accident Report. The UMOS concerned will ask to view the vehicle in question (if available), and interview those claiming to be party to the accident (if present), before completing the Police Accident Report. In ALL cases, the UMOS must note in the "Accident Description/Officer's Notes" section of the Police Accident Report, whether or not they had the opportunity to actually view the vehicle or interview the person(s) involved in the accident.

Any person(s)/party appearing in person at a police facility and requesting initial preparation of a Police Accident Report for an accident that does not meet the above criteria, shall instead be given a copy of New York State Department of Motor Vehicles - Report of Motor Vehicle Accident (MV104) to complete and submit on their own.

Any person(s)/party appearing in person at a police facility and requesting that a Police Accident Report be completed for them, where property damage to a vehicle or personal injury is involved, and the operator of one of the vehicles has fled the scene without reporting will be referred to the command where the accident occurred (see P.G. 217-05, "Leaving the Scene").

A uniformed member of the service is not mandated to amend a previously completed Police Accident Report upon request by any person(s)/party appearing in person at a police facility. The uniformed member may elect to do so if:

a. In their discretion a change is warranted and

b. He/she is the officer of record.

Absent this criteria the member can recommend that the requesting party complete Report of Motor Vehicle Accident (MV104) and submit to the Accident Records Bureau in Albany (address on rear of form). If a Police Accident Report is amended by the uniformed member of the service the caption at the top of the form, "AMENDED REPORT" must be checked.

Requests for Police Accident Reports made after thirty (30) days should be made directly to the New York State Department of Motor Vehicles, Public Service Bureau, Empire State Plaza, Albany, New York 12228, utilizing New York State Department of Motor Vehicles form, "Request for Copy of Accident Report." Person making the request will be given whatever information is necessary to complete the form at no charge.

RELATED PROCEDURES

Vehicle Accidents-General Procedure (P.G. 217-01)

Leaving the Scene (P.G. 217-05)

FORMS AND REPORTS

Police Accident Report (MV104AN) (revised 7/01)

New York State Department of Motor Vehicles-Report of Motor Vehicle Accident (MV104)
(revised 7/01)

P.G. 217-14 Preparation Of Police Accident Reports (MV 104AN) For Accidents Occurring On Highways, Bridges And Tunnels

Date Effective: 04-25-03

PURPOSE

To ensure that the appropriate reference marker numerals/letters are utilized when preparing a Police Accident Report (MV104AN).

PROCEDURE

Upon notification or observation of a vehicle accident occurring on limited access highways, collector-distributor roadways (CDRs), entrance and exit ramps, and bridges and tunnels (Metropolitan Transportation Authority facilities, Brooklyn and Williamsburg Bridges, etc.):

UNIFORMED MEMBER OF THE SERVICE

1. Comply with P.G. 217-01, "Vehicle Accidents-General Procedure."
2. Locate the nearest reference marker to the accident site for accidents occurring on highways, CDRs, and ramps only.
3. Utilize and refer to the Limited Access Highway Reference Marker Listing book (maintained at each command) to determine the proper reference marker:
 - a. For accidents occurring on bridges or in tunnels
 - b. In instances where a reference marker is missing, cannot be seen due to inclement weather, etc.

NOTE: The Limited Access Highway Reference Marker Listing (maintained at each command) must be used for reporting accidents occurring on bridges and in tunnels. Reference markers (if any) actually posted on bridges or in tunnels near an accident site will not be entered on Police Accident Reports.

4. Enter the numerals/letters taken from the reference marker near the accident site or the Limited Access Highway Reference Marker Listing book as appropriate, into the twelve (12) box caption titled "Reference Marker" on the newly revised Police Accident Report (Rev.7-01) (see Appendix "A")

NOTE: The "Reference Marker" caption was formerly referred to as the "Location Code" on the 1995 version of the Police Accident Report. All existing copies of this 1995 version should be destroyed. Only the recently revised Police Accident Report (MV104AN), bearing a print date of 7/01, should currently be in use.

COMMAND CLERICAL STAFF MEMBER

5. Record accident into the On-Line Accident Index.
6. Enter reference marker numerals/letters on the "ADD ACCIDENT" screen in the caption titled "IF HIGHWAY OR BRIDGE, ENTER REFERENCE MARKER".

TRAFFIC SAFETY OFFICER

7. Review all Police Accident Reports for completeness and accuracy.
8. Ensure "Reference Marker" caption is completed when required.
9. Update On-Line Accident Index.

RELATED PROCEDURES
Traffic Safety Officer (P.G. 202-08)
Vehicle Accidents-General Procedure (P.G. 217-01)
APPENDIX "A"

THE 9 INCH X 8 INCH GREEN COLORED REFERENCE MARKER DEPICTED BELOW IS LOCATED EVERY 1110 OF A MILE ON LIMITED ACCESS HIGHWAYS, COLLECTOR-DISTRIBUTOR ROADWAYS, AND ENTRANCE AND EXIT RAMPS:

(Figure 30)

TWELVE (12) BOX REFERENCE MARKER CAPTION AS SEEN ON NEWLY REVISED POLICE ACCIDENT REPORT (MV-104AN 7/01):

Reference Marker

(Figure 31)

Accident Description/Officer's Notes

Property - General