

**SENECA FALLS POLICE DEPARTMENT
GENERAL ORDER**

General Order: 345	Rescinds: New Issue
Subject: Police Vehicle Accidents	NYS Accreditation: 47.7
Effective Date: 07/01/13 By Order Of: Stuart W. Peenstra, Chief of Police	

I. PURPOSE

To establish guidelines for the investigation of Seneca Falls Police Department motor vehicle accidents.

II. POLICY

- A.** Employees shall drive with due care and regard for the safety of all persons. All traffic laws shall be obeyed and the seat belt should be worn except when it would interfere with the safety of the employee.
- B.** All Seneca Falls Police Department fleet vehicle accidents will be reported as herein directed by the involved employee(s) as soon as possible to the Lieutenant.
- C.** Owners of police vehicles which are involved in on-duty accidents may file either MV-104, "Report of Motor Vehicle Accident" or form MV-104L, "Police Line of Duty Accident". If form MV-104 is filed, the owner should sign the form and write "on duty accident" in the space to the right of the signature. Whichever form is used, it must be attached to a police accident report (MV-104A, MV-104AN, or MV-104AW). Form MV-104L is NOT acceptable by itself. During line of duty accidents, it shall be noted in the ACCIDENT DESCRIPTION/OFFICER'S NOTES, that the lights and sirens were in use, or that the trip was in response to an emergency call.

III. POLICE FLEET ACCIDENT INVESTIGATION

- A.** Accidents occurring within the Town of Seneca Falls
 - 1. Employees shall:
 - a. immediately notify, or cause to be notified, the Seneca County 911 Center indicating the location, extent of the accident, and whether any emergency services are needed;
 - b. notify his/her on-duty supervisor of the accident;
 - c. protect and preserve the accident scene;
 - d. if necessary, arrange to reroute traffic to allow movement of other vehicles;
 - e. Identify any witnesses by securing their names, home addresses, place of employment, and telephone numbers.
 - f. The employee will complete an Incident report outlining his involvement in the accident.
 - g. Not discuss or make any statements regarding the accident to non-police personnel.
*NOTE: If involved employee is unable to perform above duties, the first responding officer shall assume these responsibilities.

2. Supervisory Responsibilities:

- a. Respond to the scene of the accident and coordinate a thorough investigation.
- b. Insure that a police officer not involved in the accident is assigned to conduct the preliminary investigation, completing MV-104A.
*NOTE: In the case of parked police vehicles damaged as a result of an auto accident, insure that the name of the employee assigned to operate the fleet vehicle is noted in the narrative portion of MV-104A, Police Accident Report, or in the case where no employee is assigned to the fleet vehicle, indicate by "No Employee Assigned."
- c. Immediately advise the Lieutenant, of the nature and scope of the accident.
- d. Interview or cause to be interviewed, all possible witnesses and gather statements and records of interviews.
- e. When required (i.e., serious injury, question of culpability, etc.), the accident shall be fully processed by the NYSP or Seneca County Sheriff Special Accident Investigation Unit. The supervisor shall assure that appropriate measurements are taken, diagrams made, and relevant evidence collected by an evidence technician.
- f. Insure that photographs are taken of all fleet vehicle accidents.
- g. Where police vehicle operators are contributory and where corrective action is indicated, supervisors will initiate the remedial action(s) and/or recommend disciplinary action in compliance with current directives.
- h. When the accident was the result of an emergency operation, complete MV-104L "Report of Motor Vehicle Accident - Police Line of Duty Accident Report" . Pursuant to section 605(a)(4) of the Vehicle and Traffic Law, the Department of Motor Vehicle will omit an accident from a police officer's external license abstract if, at the time of the accident, the police officer was operating a police vehicle during emergency operation and is not charged with a violation or found to be grossly negligent.

3. Commanding officers (sergeants and above) shall review the accident investigative package, and:

- a. Either concur or disagree with the conclusions. If additional investigation is indicated, return the investigative package to the subordinate for further explanation or documentation;
- b. The officer in charge of vehicle maintenance will make arrangements with a designated repair shop to have the damage estimated as soon as possible, regardless of the amount of damage.

B. Accidents occurring outside the Town of Seneca Falls but within Seneca County

1. Employees shall:

- a. Immediately notify or cause to be notified, the appropriate jurisdictional police agency and request an investigation of the accident to include the completion of

MV-104A, Police Accident Report and photographs of the scene.

- b. Notify or cause to be notified, the Seneca County 911 Center at the Office of Emergency Communication as soon as possible indicating the location and extent of the accident and request notification of his Commanding Officer.

2. Supervisory Responsibilities:

- a. the Commanding Officer when on-duty shall respond to the motor vehicle accident and insure that all applicable provisions of this directive are complied with, and
- b. request of the reporting jurisdiction that appropriate measurements and photographs be taken, diagram(s) made, evidence collected, or determine the necessity for immediate response to the scene of a Seneca Falls Police Department evidence technician based upon apparent severity of the accident and availability of an evidence technician from the police jurisdiction of occurrence;
- c. Request that they forward a copy of their investigative package and MV-104A to the Lieutenant.

C. Accidents Occurring Outside Seneca County

1. Employees shall:

- a. Request that the reporting jurisdiction take appropriate measurements and photographs, collect evidence, make diagram(s) and forward a copy of their investigative package and MV-104A to the Lieutenant.
- b. Notify, or cause to be notified, their commanding officer as soon as possible.
- c. file a full Incident Report and forward it to his commanding officer as soon as possible;

2. Upon notification, the commanding officer will:

- a. contact the employee and ascertain all relevant details as soon as possible;
- b. Insure that the employee complies with Departmental reporting requirements.

IV. INVESTIGATIVE PACKAGE DISTRIBUTION

The original police vehicle accident investigation package will be forwarded through the chain of command to the Chief of Police.