



VEHICLE CRASHES

<i>Original Date of Issue</i> October 6, 1999	<i>General Order Number</i> 99-09
<i>Effective Date of Reissue</i> August 3, 2017	<i>Section Code</i> OPS-13
<i>Reevaluation Date</i> August 2020	<i>Amends</i> OPS-13 Previous Version
<i>C.A.L.E.A.</i> 61.1.1; 61.2.1-4; 61.3.1-3	<i>Reference</i> (see "INDEX AS:")

INDEX AS:

Vehicle Crashes
Accidents
Accident Investigation

Traffic Control
Traffic Direction
Impounds

I. PURPOSE

The ultimate goal of traffic enforcement is to reduce the number and severity of vehicle crashes. Motor vehicle crashes continue to be a health and safety issue facing our community; these crashes can result in significant injuries and death to persons of all ages, along with a significant amount of property damage. Creating a safe motoring community can be achieved through education to citizens, liaisons and partnerships with other agencies within the community to promote safe driving, and preventative patrol combined with enforcement by officers.

II. POLICY

It is the policy of the Iowa City Police Department to report motor vehicle crashes pursuant to Iowa law. Members of the Department will investigate crashes in an attempt to determine the cause and identify violations of Federal or State law and/or City ordinance. Officers will enforce applicable laws consistent with the department's general order pertaining to Traffic. When called upon the Department will assist other departments or agencies in identifying and/or minimizing potential hazards to the motoring public.

III. DEFINITIONS

IV. PROCEDURES

MOTOR VEHICLE CRASHES

The Iowa City Police Department will respond to all vehicle crashes which occur within the corporate limits of Iowa City. Members of this department will comply with state reporting requirements. (See Iowa Code 321.266) In incidents that do not meet the state mandated reporting requirements, officers will respond and will fill out an "accident report" for submission to Iowa City Police Department records section. All accidents will be sufficiently investigated to determine the facts surrounding the accident. In addition to the aforementioned reporting and investigation guidelines, the following motor vehicle crash investigation guidelines should be adhered to.

- A. **Fatality or Serious Injury Crash.** A motor vehicle crash resulting in a fatality or serious injury likely to lead to a fatality will be investigated as thoroughly as possible. An accident investigator trained through the level of Reconstructionist will be called to the scene. Whenever possible he/she should be assisted by an officer trained through the technical level in accident investigation. When it is necessary to call an off duty investigator to assist a Reconstructionist, preference may be given to calling another Reconstructionist if available.
- B. In instances where a motor vehicle crash results in an injury, the first responding officer should consider the severity and nature of the injury in determining whether to call an accident investigator to the scene. If an accident investigator is not immediately available the officer should contact a watch supervisor, who may authorize the call-in of an off duty accident investigator.
 1. When a Technical Accident Investigator or an Accident Reconstructionist is called to the scene, they shall complete their investigation within 30 days. If the report is not completed within this period, the Watch Commander shall inform the Commanding Officer of Field Operations of the fact, along with the reasons why the report has not been completed and an anticipated date for completion of the report.
- C. In any instance that there is a likelihood of city liability, a person trained through the technical level of accident investigation should be called to the scene. This includes instances where a city vehicle is involved in an injury crash, regardless of "fault". In these instances, a copy of the state accident report and any technical investigative reports will be forwarded to the Commander of Field Operations or his/her designee. He/she will forward the reports to the City Attorney's Office and to other city departments as requested.
- D. **Hit and Run Crashes.** Hit and run crashes will be investigated to the extent possible. Upon arrival at the scene the responding officer should broadcast any suspect vehicle or driver information as soon as possible.
- E. Crashes involving intoxicated, impaired, drugged or ".02" drivers should be investigated according to applicable departmental procedures. The involvement of alcohol or drugs should be handled according to specific departmental policies/procedures pertaining to OWI. In instances where the

consumption of alcohol or drugs is suspected and serious injury or fatality results, the officer should notify a watch supervisor. The supervisor or officer may contact the on-call county attorney for advice on how to proceed.

- F. In incidents in which a commercial carrier carrying hazardous materials is involved in a motor vehicle crash, officers will comply with departmental guidelines relating to commercial carriers. If the crash results in a breach of a container or a discharge from a container, the officer shall immediately notify communications who should then notify a watch supervisor. If possible, the officer will evacuate the immediate area around the vehicle until the Iowa City Fire Department responds. The Iowa City Fire Department will be notified and will make the determination if the Johnson County HAZMAT team will be requested to respond to the scene. The Iowa City Fire Department or, if applicable, the Johnson County HAZMAT team, will have primary responsibility pertaining to any discharge of hazardous materials from a vehicle involved in a motor vehicle crash. The responding Fire or HAZMAT supervisor will determine the extent of any evacuation. Officers should attempt to ensure that the hazardous material reporting requirements in the Code of Iowa are complied with. An officer trained through the technical level of accident investigation should be called to the scene in which there is a discharge of hazardous materials from a commercial carrier. (In incidents involving hazardous materials, SAFETY is the paramount consideration.)
- G. In incidents where the persons involved in a motor vehicle crash become engaged in a dispute, officers should expedite their response to the scene. Upon arrival the officer(s) should take charge of the scene and separate the confronting parties.
- H. If a motor vehicle crash results in major congestion, the first responding officer should request additional units as available to assist in traffic control. In instances where there are no injuries and the resulting congestion poses a hazard to the motoring public, the officer may consider moving the involved vehicle(s). If this is not practical or possible the officer(s) may elect to establish a safe traffic pattern and wait for additional units prior to initiating any investigation or report related to the crash.
- I. In instances where damage to a vehicle is such that the vehicle is inoperable or unsafe to operate, the officer should ensure the vehicle is either in a position where it will not impede or obstruct the safe flow of traffic or see that the vehicle is removed from the scene. When an operator elects to have their vehicle towed, the officer should try to honor their choice in towing services provided the service can respond in a reasonable amount of time. In instances where the operator is unable to remain at the scene the officer may contact the towing service requested by the operator, or if they signify no preference, contact the service which currently is under contract with the city. Removal of a vehicle from an accident scene, in and of itself, does not constitute an impound of the vehicle.
- J. In instances where the operator is unable to indicate a preference for the disposition of their vehicle and property and there is no one present to act on behalf of the operator, the officer should ensure the property belonging to the crash victim is protected. If there are items of value in the vehicle, the officer may take control of the property for safekeeping. If an officer takes control of the property of an accident victim, it shall be documented on a property form

and submitted to the departmental property custodian. If the vehicle is towed by officers an impound form shall still be completed.

- K. In instances where an accident investigator requests a vehicle be impounded, the department member handling the tow will follow departmental guidelines pertaining to impounds. There should be a hold placed on the vehicle under the investigating officer's name. No property should be released from the interior of the vehicle without the authorization of the investigating officer. In instances where a person requests personal belongings from the interior of a "held" vehicle, and the investigator is unable to be reached, a supervisor may elect to approve the release of certain personal property from the vehicle. In these instances, the supervisor approving the release or his / her designee will accompany the person to the impound facility and will deliver the requested item(s) to the person. At no time should the person be allowed to have physical contact with the vehicle. The authorizing supervisor will complete an impounded vehicle Property Release Form detailing the circumstances surrounding the release.
- L. Watch supervisors have the authority to suspend accident investigations involving only property damage during emergency situations. These may include, but are not limited to, snow or ice emergencies when the number of accidents is such that it is not possible to respond to each location, or an emergency operation in which the majority of the available officers are engaged in an emergency type situation. In these types of incidents, the caller should be advised that there are not currently personnel available to respond and be requested to contact the department in person or on the phone sometime after the start of the following watch. The caller should be advised that in the interim, if possible, names, addresses, phone numbers and vehicle information should be exchanged. The communications person receiving the call should obtain all available information for entry in the CAD system.
- M. The Iowa City Police Department will use the expertise of the City of Iowa City Traffic Engineering office to analyze data pertaining to motor vehicle crashes within the city. Using the analysis provided by Traffic Engineering the department will implement traffic enforcement strategies to minimize the number and severity of motor vehicle crashes. On an annual basis a review and assessment of current traffic enforcement activities will be completed. If a similar review is completed for another specific purpose (e.g. GTSB grant, research, etc.), a separate, independent review need not occur.

Officers assigned to a motor vehicle accident will respond promptly and proceed to the scene as quickly as traffic conditions allow. Response will be guided by departmental vehicle operations guidelines.

- A. During the approach to the scene, officers should be alert for conditions or factors which may be related to the crash.
- B. Upon arrival at the scene, the officer(s) should park in a manner to best protect the scene and minimize danger to the public.
- C. The first responding officer will then attempt to identify situations, which will require immediate attention or additional assistance such as injuries, HAZMAT situations, or fire, and should request additional police or rescue units as appropriate.

- D. If injuries are present the initial officer should render immediate care to the greatest extent possible.
- E. Once care of the injured is insured and the scene is protected to the extent possible the officer should determine if the assistance of an accident investigator is required or needed. If so, communications should be advised of the situation and notification made.
- F. In cases of injury or death the initial officer should attempt to locate and identify any potential witnesses. This includes the identification of injured parties and passengers as well as onlookers.
- G. Once the scene is secured and witnesses identified, the first responding officer should attempt to locate and, if possible, document any evidence. If assistance is needed for the documentation of evidence the officer may contact an accident investigator or Crime Scene Technician (CST) depending on the type of evidence to be documented. All evidence collected shall be handled according to departmental guidelines on evidence. If it is determined that the scene extends beyond the point initially protected by the officer, the expanded scene should be protected to the greatest extent possible prior to completion of documentation or evidence collection.

The first responding officer is responsible for the completion of all required reports unless relieved of the responsibility by a supervisor. In instances where an accident investigator(s) responds to the scene, he/she will be responsible for the technical investigation of the crash and all technical reports relative to the investigation. In situations where more than one accident investigator is involved, the officer trained to the highest level will be designated the lead investigator. If two investigators of equal training are on scene, the person with greater experience in the field shall be the lead investigator. The lead investigator may call additional investigators as necessary with the approval of an on duty watch supervisor. If a commercial vehicle is involved in the crash, the lead investigator may request the assistance of personnel trained in commercial vehicle inspections. If assistance is needed in the collection or documentation of evidence, the lead investigator may call for the assistance of a CST.

In instances where the victims/witnesses have been transported or otherwise left the scene, the lead investigator may, with the approval of a watch supervisor, make arrangements to have the parties interviewed and/or statements recorded. These interviews may be by one of the investigators or another officer assigned to the task. If the interview is to be conducted by someone other than one of the accident investigators, the interviewer should be provided a list of issues which the investigator(s) wish to be covered. In instances where the vehicle is impounded for investigation, the lead investigator may make arrangements for inspecting, documenting or otherwise viewing the vehicle at a future time. The lead investigator may make arrangements to consult with other city departments i.e. traffic engineering, streets, as needed.

When a member of the Iowa City Police Department receives a complaint or concern relative to traffic safety or traffic engineering, the receiving member will document the information to the greatest extent possible. If the question is one, which requires further investigation or research, the concern/request should be

forwarded to the Traffic Engineering Planner. The Sergeant in charge of Planning and Research will forward motor vehicle crash data to the Traffic Engineering Planner.

TRAFFIC DIRECTION AND CONTROL

The purpose of this section is to establish procedures for traffic direction and control.

A. Manual Traffic Direction

1. Manual traffic direction will be used in situations when there is a failure of normal traffic control signals, during emergencies, at accidents, or when other traffic control devices are not present or adequate.
2. Effective manual traffic direction is dependent upon the use of clear and easily understood gestures and the high visibility of the person directing traffic.
3. In order to provide for officer safety and driver recognition and response, reflective, high visibility vests are provided in patrol vehicles and issued to all officers. All personnel directing traffic shall wear the provided vests.
4. Members performing traffic direction and control will ensure that their presence and purpose are appropriately indicated to drivers and pedestrians. This may be accomplished by positioning so that they can clearly be seen by all parties.
5. Officers directing traffic may utilize flashlights, traffic wand, road flares, and/or traffic cones while manually directing traffic. These will be used in a manner to enhance visibility.
6. Officers will remain calm and professional whenever directing traffic. When drivers or pedestrians fail to understand or obey hand signals, the officer will handle these instances with professionalism.
7. Manual signals for traffic direction should be consistent with departmental training.

B. Emergency Traffic Direction

1. Fire Scenes: Members of this department will assist fire operations by:
 - a. consulting with the fire officer in charge of a scene to determine their needs;
 - b. providing protection for the fire scene for fire rescue equipment;
 - c. setting up perimeter traffic control points to allow for the entrance and exit of emergency vehicles and personnel authorized to be at the scene.

C. Adverse Road and Weather Conditions

Adverse road and weather conditions may include but are not limited to:

1. accident hazards such as debris, downed power lines, fallen poles, hazardous material spill/leak;
2. acts of nature such as snow, ice, and flooding

Upon discovering an adverse road or weather condition affecting safe roadway travel, members of this department are expected to notify communications and the watch supervisor. A decision will be made as to how best correct or control the situation. The supervisor may direct that the appropriate city department be notified of and asked to respond to the incident.

Members of the Iowa City Police Department will provide traffic direction, control services and scene protection when the presence of adverse road and weather conditions warrant such steps. Direction or control will be maintained until appropriate steps have been taken to alleviate the situation.

Manual Operation of Traffic Signals

1. Manual operation of traffic control signals may be necessary in the case of accidents or other emergencies, or to alleviate traffic congestion resulting from a specific event.
2. In instances of a traffic signal malfunction, the lights may be set on "flash" mode if this will not cause undue problems, until the appropriate agency or department can respond to correct the problem.

E. Temporary Traffic Control Device

1. Temporary traffic control devices may be used in either pre-planned events or to serve as a temporary measure for unusual or emergency situations. In the event that a temporary traffic control device is used, due to an emergency situation, contact will be made with the agency or department who is responsible for the applicable roadway or signal. Officers should periodically check any temporary traffic control devices in their area to ensure that they are situated appropriately, or at times of high traffic volume, require additional traffic control efforts.
2. In instances where a temporary traffic control device will be in place for an extended duration, the commander of the day watch will make contact with the appropriate department or agency to inform them of the location, nature and reason for the temporary device; and will request they review the nature and placement of the device for appropriateness.
3. When temporary traffic control devices have been placed by a private contractor or an entity of the City, due to construction, it shall be the responsibility of the placing entity to erect, place and maintain all such devices. Officers should periodically check construction sites in their area to determine the integrity and effectiveness of the device. If a device is not in place, not functioning, not visible or otherwise creates a hazard for the motoring public, the placing entity should be contacted to correct the situation.

MOTORIST ASSISTS

- A. Disabled vehicles on the roadway present a hazard both to the stranded motorist and to other roadway users. For this reason, officers will offer reasonable assistance when possible to motorists who appear to be in need of assistance.
- B. Stranded motorists should not be left unattended when they appear to be exposed to hazardous situations. Due consideration shall be afforded stranded motorists for factors that contribute to hazardous conditions such as; location, time of day, weather, and current priority of calls for service. When circumstances preclude an officer from remaining with the motorist, steps should be taken to enhance the visibility of the vehicle and to warn oncoming drivers of the hazard.

- C. Officers should freely and courteously provide information and directions when asked, and shall attempt to remain familiar with various services and facilities available to help motorists. I.e., 24 hour services.
- D. Officers may, with supervisory approval, transport stranded motorists to the nearest convenient location where assistance may be obtained.
- E. When hazardous weather conditions exist, communications may be directed to disseminate road hazard, travel and road closing information within the city, or refer citizens to the roadway condition number where such information may be obtained.
- F. In the event that the operator of a disabled vehicle is unable to obtain their own towing service, or have no preference, the officer may request communications contact an available towing company.
- G. If emergency medical or fire assistance is needed, the officer will notify communications of the nature of the emergency and request the services the officer feels are necessary.
- H. A member of this department should not physically push or repair stalled vehicles, jump-start, or change a tire on any vehicle not owned by the City, except in emergency situations.

When an officer comes across a roadway hazard the officer should take steps to alleviate or minimize the potential hazard. The officer should notify communications of the nature and location of the hazard and request that communications contact the appropriate agency or department to correct the situation. If the hazard is discovered after "regular" business hours, the communications section should forward the request for service to the appropriate department the next business day. In instances where the hazard is such that some type of traffic control device is needed control the hazard, the officer may arrange to pickup the needed device him/herself or contact the Streets Department to respond with the necessary devices. In instances where the hazard is such that immediate repair is required, the officer should request communications page the appropriate department, advise them of the location and nature of the hazard and request they respond to the scene.

VEHICLE IMPOUNDS

Members of this department may encounter a variety of circumstances requiring the impound of a motor vehicle. These actions are to be guided by state code and/or city ordinance.

When the operator of a motor vehicle is arrested the following guidelines should be adhered to.

- A. Vehicles requiring identification processing or use in follow-up investigations should be impounded. The officer should request the towing company place the vehicle in a secured facility.
- B. If the operator of the vehicle is the owner, leaseholder, or immediate family member of the owner/lease holder, the vehicle may be released to an eligible driver on the scene, with the permission of the operator.
- C. If there is not an eligible driver available, the officer may impound the vehicle. In instances where the vehicle is impounded pursuant to an arrest, the department member impounding the vehicle will complete an Iowa City Police

Impound Report. When appropriate, the keys should be placed in the possession of the operator of the vehicle. The arresting officer may search the vehicle incident to arrest. The impounding member may inventory the vehicle. In all instances, the impounding party shall note items of value.

- D. If there is not an eligible driver available, the officer, with the permission of the operator may elect to park the vehicle in an appropriate location. If the vehicle is parked, the location should be noted and the vehicle operator advised of the location. If there are items of value or weapons in the vehicle, the officer should consider taking these items into his/her possession. In these instances, a property form shall be completed and the items submitted to the property custodian.
- E. In instances where a driver is taken into custody for an .02 investigation, the preferred action is to park the vehicle. When the situation is such that this is not practical, the officer may impound the vehicle.
- F. Upon recovering a stolen vehicle, the officer should request communications contact the originating agency. To the greatest extent possible the recovering officer should honor the requests of the originating agency. In instances where the originating agency is not able to respond within a reasonable amount of time, or at their request, the officer may impound the vehicle. If the Iowa City Police Department is the originating agency the vehicle may be held for processing. If a decision is made not to process the vehicle, or upon completion of the processing, the officer should contact the reporting party reference the recovery of the vehicle. The status of any keys, valuables, and vehicle condition should be provided if known. If the vehicle is legally parked and the victim wishes the vehicle left at the present location, the officer may leave the vehicle where parked. If the victim cannot be contacted or the vehicle is parked in an illegal or hazardous manner or the victim is unable to respond in a reasonable amount of time the officer should impound the vehicle.

When a vehicle is parked or left in such a manner as to create a hazard, or is otherwise abandoned, members of this department may impound the vehicle pursuant to chapter 321.89 of the Code of Iowa. In these instances, the officer shall complete an Iowa City Police Impound Report.

When a member of this department is requested to impound a motor vehicle from private property, the impounding officer shall complete an Iowa City Police Impound Report. The person in control of the private property must sign the authorization form on the impound report prior to the impound of the vehicle. If the officer is unsure as to the authority of the party requesting the tow, the officer should request written documentation from the person. Officers should not unlock a vehicle to inventory the contents when impounded from "private property".

When vehicles are impounded by a member of this department, the impounding officer shall complete an Iowa City Police Impound Report. This report should be turned into communications as time permits, but no later than the end of the watch. The records pertaining to vehicle impounds will be kept in their original form for a period of three years. The computer entry of these records will be kept

for a period of at least five years. The auction of unclaimed vehicles will comply with all applicable laws and requirements.

When a person requests the release of an impounded vehicle, the person handling the request should ask for identification from the person making the request. A vehicle may be released to an owner, leaseholder, or member listed on the registration. If the person requesting the release of the vehicle is other than those listed above, a watch supervisor should be called to make the determination as to the release of the vehicle.

Jody Matherly, Chief of Police

WARNING

This directive is for departmental use only and does not apply in any criminal or civil proceeding. The department policy should not be construed as a creation of a higher legal standard of safety or care in an evidentiary sense with respect to third-party claims. Violations of this directive will only form the basis for departmental administrative sanctions.