

12.225 VEHICULAR CRASH REPORTING

Reference:

Traffic Crash Report Procedures – State of Ohio Department of Highway Safety
 Ohio Revised Code 1533.121, Deer Killed by Motor Vehicle
 Ohio Revised Code 1531.02, State Ownership Of and Title to Wild Animals – Prohibited Activities
 Ohio Revised Code 2935.28, Property Owners to be Provided with Names of Persons Charged with Damaging Their Property
 Ohio Revised Code 4501.01 (A) and (B), Motor Vehicles Definitions
 Ohio Revised Code Section 149.43, Availability of Public Records for Inspection and Copying
 Ohio Revised Code Chapter 1306, Uniform Electronic Transactions Act
 Procedure 12.030, Vehicles: Assignment, Use and Maintenance
 Procedure 12.035, Reporting Police Vehicular Accidents and Damage
 Procedure 12.106, University Air Care Helicopter
 Procedure 12.210, Traffic Control: Major Thoroughfares
 Procedure 12.226, Aircraft Crash Response and Reporting
 Procedure 12.230, Fatal or Potentially Fatal Crash Investigation and Placement of Related Charges
 Procedure 12.235, Operating a Vehicle Under the Influence (OVI): Processing and Arrest
 Procedure 12.265, Wrecker and Towing
 Procedure 12.270, Impounding, Moving and Release of Vehicles
 Procedure 12.435, Reporting Conditions Affecting Other Departments - Form 318
 Procedure 12.715, Property and Evidence: Confiscation, Accountability, Processing, Storage and Release
 Procedure 18.120, Public Records Requests
 Manual of Rules and Regulations – 2.03
 Premier 1 Record Management System User's Guide

Definitions:

Streetcar – The Cincinnati Streetcar is an electric mode of transportation operating in its first phase on a 3.6-mile loop connecting key communities in the City of Cincinnati's urban core. It is powered by an overhead contact system (OCS) that consists of high-voltage wires located 20 feet above the street to prevent contact by anything other than the streetcar. A streetcar is **not considered a vehicle or motor vehicle** per ORC 4501.01(A) and (B).

Purpose:

Assign responsibility for investigating and reporting vehicular crashes.

Ensure compliance with the State of Ohio Department of Highway Safety's Traffic Crash Report procedures.

Policy:

Officers will conduct a thorough investigation and accurately document vehicular crashes while making every effort to ensure the safety of the community and return the roadway to a normal traffic pattern.

Information:

The Records Management System (RMS) will be used to document and submit the State of Ohio Traffic Crash Report, Form OH-1, and the Hit Skip Supplementary Report, Form 533, for vehicular crashes.

Procedure:**A. Investigation Assignment**

1. Traffic Unit is responsible for investigating and reporting the following vehicle crashes:
 - a. Fatal crashes.
 - b. Potentially fatal crashes.
 - c. Spectacular or unusual crashes requiring detailed and extensive investigation.
 - d. Interstate highway crashes, if available.
 - e. Hit-skip investigations, when there is enough identifiable information for follow-up, i.e. license plate, suspected driver information, etc.
 - f. All vehicle crashes involving police vehicles operated in emergency mode resulting in an injury and/or disabling damage.
2. Districts are responsible for investigating and reporting the following vehicle crashes:
 - a. Non-life threatening
 - 1) Non-life threatening injuries can include broken bones, cuts, and bruises when vital signs indicate the victim is in no apparent danger of death.
 - b. Non-injury, property damage
 - 1) This includes hit-skip and fender-benders

B. Vehicle Crash Investigation

1. The responding officer will:
 - a. Determine if there are injuries and if medical aid is necessary.
 - b. Request a supervisor respond in the following cases:
 - 1) Crashes involving an on-duty or off-duty police officer.
 - 2) Fatal, potentially fatal, or serious injury crashes.
 - 3) Unusual crashes.

- a) The responding supervisor will:
 - 1) Determine if a Traffic Unit investigator is needed.
 - 2) Determine if the Night Inspector or District OIC is needed.
 - 3) Ensure a complete investigation is made.
- c. Request Emergency Communications Section (ECS) dispatch the Fire Department, if needed.
- d. Protect the crash scene.
- e. Have the drivers remove all vehicles from the roadway, if possible, and then complete all necessary paperwork. Use push bumpers, when possible, to remove disabled vehicles from the roadway in order to relieve traffic congestion.
 - 1) Under no circumstances will officers attempt to move a motor vehicle when the following circumstances exist:
 - a) A vehicle carrying Hazardous Materials (HAZMAT) has overturned or received significant structural damage.
 - b) The vehicle is involved in a fatality or potential fatality.
 - 2) Before having drivers remove vehicles from the roadway, ensure:
 - a) Any injuries will not increase in severity because of the movement.
 - b) The driver of the vehicle may legally operate the vehicle, i.e., the driver is not intoxicated, etc. Retain all driver licenses until the investigation is completed.
 - c) The vehicle has no major defects that may cause the driver to lose control.
 - d) The driver has full instructions as to where they are to exit the roadway and where to meet the investigating officer. Ensure that the place where they are to meet the investigating officer is a safe location.
- f. Conduct a complete investigation.
 - 1) Investigating officers will process any photos taken at the crash scene as evidence to be held for court.
 - a) Attach each photo in the crash report folder.
 - 2) No citations will be issued during an investigation of a vehicle crash involving a police vehicle which resulted in injury and/or disabling damage until the data from the police vehicle's "black box" has been downloaded and reviewed.

- g. Determine the need for other departments or agencies.
 - 1) For damaged buildings, hazardous materials, traffic signal problems etc.
 - a) Officers will notify District desk personnel of the damage. District desk personnel will call Public Services Customer Care to report the damage at 591-6010 between the hours of 0700 and 1700, Monday through Friday.
 - 1] On Saturday, Sunday and weekdays after 1700 hours, call Public Services at 615-3996 to report road hazards and 378-6204 for traffic signal problems.
 - b) Public Services will determine the agency responsible for the damaged property and make the proper notification.
 - 2) For gas leaks, downed wires, and damaged poles
 - a) Officers will notify the District desk personnel. District desk personnel will call the Duke Energy Police line at 1-800-339-8517 to report the problem.
 - b) For downed wires and damaged poles, Duke Energy personnel will respond to the scene, determine the agency responsible, and make the proper notification.
 - 3) When a fire hydrant is struck, request the Fire Department respond to assess the damage and handle necessary repairs.
- h. Complete a Form 318, Conditions Affecting Other Departments Report, and include the Form OH-1 report number when conditions require action by other City departments or the Ohio Department of Transportation.
 - 1) Officers will forward the Form 318 to district/unit collator who will:
 - a) Make two copies of the Form 318 and print a copy of the Form OH-1, as needed.
 - b) Fax and forward the original Form 318 to Public Services.
 - c) Forward a copy of the Form 318 to the City Solicitor's Office and the Ohio Department of Transportation if conditions require action by that agency.
 - d) File a copy of the Form 318 at the initiating district/unit.
- i. Request wreckers when needed.
- j. Have the drivers involved in the crash complete a Form 528, Accident Information Exchange Form, to exchange necessary information: name, address, telephone number, insurance information, vehicle information, etc.

- 1) When a crash causes damage to property, upon request of the property owner, the investigating officer will provide the name of the driver if the driver is charged with a violation of a City ordinance or State statute.
 - a) Law enforcement agencies and their employees acting in good faith are not civilly liable.
 - 2) Refer requests for information or copies of completed Forms OH-1 to Police Records Section.
 - 3) Crash reports will normally be available within seven to ten business days at Police Records Section.
- k. If the crash involves City equipment, request a supervisor from the affected City department respond to the scene.
- 1) The supervisor of the involved employee will complete the City accident form. Administrative action will be taken if the employee is found at fault.
4. Reports completed at a district
 - a. District desk personnel will prepare a Form OH-1 and other necessary forms when a citizen responds to a district to report a vehicle crash.
 5. Reporting crashes on private property
 - a. ECS will not dispatch officers to crashes on private property unless it involves an injury, hit skip, or the vehicles are not operable.
 - b. ECS will advise participants involved to respond to the nearest district to file a report.
 - c. If dispatched to the scene of a crash on private property, the officer will complete a Form OH-1.
 - d. Officers witnessing or coming upon the scene of a crash on private property will complete a Form OH-1.
 6. Reporting crashes involving Hamilton County vehicles inside the city limits
 - a. Department personnel will investigate and complete a report for all vehicle crashes involving County vehicles inside the city limits.
 - b. ECS will notify Hamilton County Communications Center of all vehicle crashes involving County vehicles with serious injuries or fatalities.
 - 1) Hamilton County Sheriff's Office Traffic Section personnel may respond and monitor the vehicle crash investigation.
- C. Form OH-1, State of Ohio Traffic Crash Report
1. The investigating officer must complete a Form OH-1 for all vehicle crashes whether the vehicle is occupied or not.

- a. Complete a Form 533, Hit Skip Supplementary Report, for all unsolved hit-skip crashes. Do not record the identifiable information on the Form OH-1, i.e. license plate, suspected driver information, etc.
 - b. Forward the Form OH-1 and Form 533 to the Traffic Unit only if there is enough identifiable information for follow-up.
 - 1) If there is no follow-up information available, the investigating officer will advise the complainant that the investigation will be closed and complete the Form OH-1 and Form 533.
 - a) The Form 533 should include that the complainant was notified.
2. Before ending a tour of duty, the investigating officer must submit the completed Form OH-1 to a supervisor.
 - a. When an investigation extends beyond the investigator's tour of duty, the investigator will obtain authorization from a supervisor to continue working. At the discretion of a supervisor, completion of the investigation and report may be assigned to the following shift.
 3. A supervisor will review the completed crash report for accuracy and compliance. Once approved, RMS will automatically forward the Form OH-1 to the Ohio Department of Public Safety.
 4. If additional information is obtained after completing and forwarding the original report, the officer must add the information in the original crash report folder.
 5. Releasing Form OH-1's at the District
 - a. When an individual responds to a district/section/unit requesting a copy of a Form OH-1, District desk personnel will accommodate the request and ask the requestor to complete a Form 29, Public Records Request.
 - 1) Explain to the requestor that they are not required to fill out the Form 29; however, completion of the form assists in locating the requested record(s).
 - a) If the requestor refuses and the officer has enough information, the officer will complete the Form 29, and include a description of the requestor i.e. sex, race, approximate height, weight, and age, clothing description etc.
 - b. Redact all information as required by Procedure 18.120, Public Records Requests. Make the redaction visible and check the appropriate box on page 2 of the Form 29 indicating information was redacted.
 - c. After completing the request, fax and forward the Form 29 to Police Records Section.

- d. District desk personnel will only release Form OH-1's that are approved by the State (work completed).
 - 1) If the requested Form OH-1 is not work completed:
 - a) Advise the requestor that crash reports are normally available in seven to ten days.
 - b) Refer the requestor to Police Records Section or ask the requestor to complete a Form 29.
 - c) If the requestor completes a Form 29, fax and forward the request to Police Records Section.
 - d) Advise the requestor to contact Police Records Section for follow-up.
- e. Requests for large quantities of Form OH-1's should be referred to Police Records Section.

D. Collisions Involving a Streetcar

- 1. If the streetcar is involved in a collision, the following reports will be completed:
 - a. If the collision involves the streetcar and a **non-motorized unit** (e.g., pedestrian, bicycle) a RMS Aided Case report (316) will be completed.
 - b. If the collision involves the streetcar and a **motorized unit** (e.g., motor vehicle) a RMS Traffic Crash report (OH-1) will be completed.
 - 1) Classify the streetcar unit type as "Other – Non Motorist."
 - 2) Classify the streetcar operator as "Occupant" and complete all fields.
 - a) A streetcar operator is NOT required to have a valid Ohio driver's license.
 - 3) Include streetcar information (e.g., streetcar number; owned by City of Cincinnati) in the Narrative portion of the OH-1.
- 2. In the event of a fatal or serious collision involving the streetcar, the rail can be shut down. The Southwest Ohio Regional Transit Authority (SORTA) will provide a 'bus bridge' service for passengers, if requested.
 - a. Per Procedure 12.230, Fatal or Potentially Fatal Crash Investigation and Placement of Related Charges, Traffic Unit will respond to investigate all fatal or serious collisions with a motorized and/or non-motorized unit involving the streetcar.
 - b. For any collision that involves non-life threatening injuries and/or property damage, officers will expedite the removal of any obstruction (e.g., motor vehicles) on the streetcar rail.

E. Deer Killed by Motor Vehicle

1. Ohio Revised Code 1533.121, Deer Killed by Motor Vehicle, allows the release of a deer carcass to the driver of the vehicle hitting and killing the deer. If the driver does not want the carcass, it may be released to a public or private institution or charity. The following rules govern release of the deer carcass:
 - a. The driver must be an Ohio resident. The private or public institution or charity must be an Ohio institution or charity.
 - 1) Contact the Hamilton County Communications Center at 825-2280 for a list of institutions and charities willing to accept the deer carcass.
 - b. The crash that kills the deer is reported within 24 hours.
 - c. The driver, institution, or charity agrees not to sell or give away the deer. The driver and the driver's immediate family or the inhabitants of the institution or charity receiving it will eat the deer.
2. If an individual comes to a district to report and claim a deer killed by a motor vehicle, the investigating officer should inspect the carcass to be sure the injuries are consistent with a motor vehicle crash, e.g., no gunshot wounds.
 - a. If the injuries are questionable or inconsistent with a motor vehicle crash, do not release the carcass. Contact ECS to request a local Wildlife Officer respond to the scene.
 - b. Illegal deer killing is a violation of ORC 1531.02, State Ownership and Title of Wild Animals – Prohibited Activities, and is a third degree misdemeanor.
3. Releasing a deer to the driver or charitable institution
 - a. Complete a Form 21, Ohio Division of Wildlife Deer Killed by Motor Vehicle. The officer's name, badge number, and OH-1 crash report number (if applicable) will be included in the Game Protectors signature section.
 - b. Give the yellow copy of the Form 21 to the person or institution taking possession of the deer as a receipt for the carcass.
 - c. Forward the white copy of the Form 21 to the Traffic Unit.
4. If neither the driver nor a charitable institution wants the deer, contact Department of Public Services at 591-6010 to dispose of the carcass, unless the deer is located on an expressway. In these instances, the Ohio Department of Transportation will be notified. Complete and forward the Form 21 to the Traffic Unit.
 - a. Traffic Unit will send a copy of the top portion of Form 21 to the Division of Wildlife (Xenia Office) biweekly and keep a copy for Department records.