

Traffic Collision Reporting

501.1 PURPOSE AND SCOPE

The Santa Clara Police Department prepares traffic collision reports in compliance with the Statewide Integrated Traffic Records System (SWITRS) and as a public service makes traffic collision reports available to the community with some exceptions.

Cross referenced with CMD 002 Procedure for Reporting Injuries

501.2 RESPONSIBILITY

The Traffic Sergeant will be responsible for distribution of the SWITRS Manual. The Traffic Sergeant will receive all changes in the state manual and ensure conformity with this policy.

501.3 TRAFFIC COLLISION REPORTING

All traffic collision reports taken by members of this department shall be forwarded to the Traffic Unit for approval and data entry into the Records Management System. The Records Manager will be responsible for monthly and quarterly reports on traffic collision statistics to be forwarded to the Field Operations Division Commander, or other persons as required.

501.4 REPORTING SITUATIONS

501.4.1 TRAFFIC COLLISIONS INVOLVING CITY VEHICLES

Traffic collision investigation reports shall be taken when a City-owned vehicle is involved in a traffic collision. Whenever there is damage to a City vehicle, a Vehicle Damage Report shall be completed and forwarded to the appropriate Division Commander.

Photographs of the collision scene and vehicle damage shall be taken at the discretion of the traffic investigator or any supervisor.

501.4.2 TRAFFIC COLLISIONS WITH POLICE DEPARTMENT EMPLOYEES

When an employee of this department, either on-duty or off-duty, is involved in a traffic collision within the jurisdiction of the Santa Clara Police Department resulting in a serious injury or fatality, the Traffic Sergeant or the Watch Commander, may notify the California Highway Patrol for assistance.

The member shall secure the following information:

- names and addresses of persons involved;
- license numbers of all vehicles involved;
- names and addresses of any witnesses;
- number of individuals in each vehicle

When involved in an on-duty traffic collision in another jurisdiction, the member shall notify police and his or her supervisor that an accident has occurred. An on duty supervisor should respond

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to the scene of the collision. Members may provide a statement if the damage to the vehicle is minor in nature and the vehicle remains driveable. a statement is requested by a police officer from another jurisdiction, inform the officer that it is against the policy of the City of Santa Clara to allow its employees to make statements at the scene of an accident. (If the accident occurs outside the City of Santa Clara, notify the agency with jurisdiction. If the accident that occurred outside the City is serious in nature, request that the Santa Clara Police Department also be notified.)

Do not admit liability under any circumstances and do not discuss your accident with anybody except the City Claims Representative, the City Attorney or your supervisor.

[See attachment: CMD 002 Procedures for Reporting Injuries.pdf](#)

501.4.3 TRAFFIC COLLISIONS WITH OTHER CITY EMPLOYEES OR OFFICIALS

The Traffic Sergeant or on-duty Watch Commander may request assistance from the California Highway Patrol for the investigation of any traffic collision involving any City official or employee where a serious injury or fatality has occurred.

Non serious injury or non fatal collisions will be taken by the Santa Clara Police Department as outlined in the attachment below.

501.4.4 TRAFFIC COLLISIONS ON PRIVATE PROPERTY

In compliance with the SWITRS Manual, traffic collision reports shall not be taken for traffic collisions occurring on private property unless there is a death or injury to any person involved, a hit-and-run violation, or DUI investigation. An Incident Report may be taken at the discretion of any supervisor.

501.4.5 TRAFFIC COLLISIONS ON ROADWAYS OR HIGHWAYS

Traffic collision reports shall be taken when they occur on a roadway or highway within the jurisdiction of this department under any of the following circumstances:

- (a) When there is a death or injury to any persons involved in the collision
- (b) When a citation will be issued as a result of a vehicle code violation
- (c) When a report is requested by any involved driver

501.5 NOTIFICATION OF TRAFFIC UNIT SUPERVISION

In the event of a serious injury or death related traffic collision, the Watch Commander shall notify the Traffic Sergeant to relate the circumstances of the traffic collision and seek assistance from the Traffic Unit. In the absence of a Traffic Sergeant, the Watch Commander or any supervisor may assign an accident investigator or motor officer to investigate the traffic collision.

Attachments

CMD 002 Procedures for Reporting Injuries.pdf



ADMINISTRATIVE CODE

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CITY MANAGER'S DIRECTIVE-PROCEDURE

DATE: July 29, 2008

CANCELS: June 16, 2008

SUBJECT : PROCEDURES FOR REPORTING INJURIES AND PROPERTY DAMAGE

POLICY : All incidents/accidents which result in damage to City property/equipment and/or injury to City personnel and where a private party or property/equipment is involved shall be promptly reported by Department Heads to the City Attorney's Office on the City's Accident Notice form (sample attached).

Personal Injury And Property Damage Accidents Involving City Property And/Or City Personnel:

RESPONSIBILITY : ACTION

All Employees

1. Locate and notify the owner or person in charge of that property of the name and address of the driver and owner of the vehicle involved.
2. Secure the following information:
 - names and addresses of persons involved;
 - license numbers of all vehicles involved;
 - names and addresses of any witnesses;
 - number of individuals in each vehicle
3. For accidents involving only property damage, present the following information upon request of the driver, property owner, or person in charge of that property:
 - driver's license, including current residence of the driver and of the registered owner;
 - vehicle registration
4. For accidents resulting in injury or death of any person, provide to the person struck or the driver or occupants of any vehicle collided with:
 - name;
 - current resident address;
 - names and current residence addresses of any occupant of the driver's

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- vehicle injured in the accident;
 - driver's license;
 - registration number of the vehicle;
 - name and current residence address of the owner
5. Leave in a conspicuous place on the vehicle or other property damaged a written notice giving the name and address of the driver and of the owner of the vehicle involved and a statement of the circumstances of the accident.
 6. Notify police and your supervisor that an accident has occurred.
 - If the accident involves only minor property damage and both of the involved cars are still drivable, you may make a statement at the scene of the accident to the police officer, in the interests of expediting any police investigation.
 - If the accident is a serious accident, e.g. physical injuries and/or one or both of the involved cars are no longer drivable, do not make any statements (other than providing the above information) at the scene of the accident. If a statement is requested by a police officer, inform the officer that it is against the policy of the City to allow its employees to make statements at the scene of a serious accident. (If the accident occurs outside the City of Santa Clara, notify the agency with jurisdiction. If the accident that occurred outside the City is serious in nature, request that the Santa Clara Police Department also be notified.)
 7. Do not admit liability under any circumstances and do not discuss your accident with anybody except the City Claims Representative or the City Attorney, except as noted elsewhere in this Directive.
 8. Report accident to department head and provide information to assist in completion of the Accident Notice Form.
 9. Within 48 hours of the accident, file the Accident Notice as follows:
 - Original and one copy to City Attorney's Office;
 - Retain one copy for Department file;

Department Head

In addition to completion of the Accident Notice form, in the event of a vehicle/equipment accident, refer to CMD 45 for procedures for filing Vehicle and Equipment Damage Report.

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10. If a non-vehicle related accident that involves City property and/or personnel is reported to a City employee by a citizen, refer the individual to the appropriate department (example: sidewalk accident should be referred to Public Works), and the same procedure for reporting the accident should be followed by the department as outlined in steps 1-5 above; excluding the procedures that specifically deal with vehicles.

City Property Damage Or Injury Caused By Persons Other Than City Personnel

The reporting of accidents in which City property damage is caused by persons other than City personnel shall be reported by the Department Head or his/her assistant in the same manner outlined in steps 1-6 above; and also to include the following procedures:

Department Head

1. Department affected by damage investigates and gathers all pertinent information.
2. Upon receipt of such pertinent information, prepares and furnishes an original and one copy of the Accident Notice within 48 hours to the City Attorney's Office.
3. Send a copy of the Police Report, if any, and written estimate of repairs (consult Automotive Services Division for vehicle estimate of repairs) and forward to the City Attorney's Office for evaluation. (Do not delay filing loss report while waiting for police report or damage estimate. Forward these reports to City Attorney's Office as soon as received.)

Human Resources Department

4. If a personal injury to an employee has occurred, an Accounts Receivable Memorandum (attached) should be prepared and should include the following: 1) Workers' Compensation cost for 4850 benefit of Temporary Disability plus Fringe; 2) Out-of-pocket medical expenses, which can be obtained from Records & Benefits.

Department Head

5. If the identity of the responsible person is unknown, the file shall be retained open in the department for a period of one year and closed out at that time if the responsible party has not been identified.

City Attorney

6. Upon receipt of accounts receivable memorandum and other documents, City Attorney determines liability and forwards to Accounts Receivable Clerk in the Finance Department.

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- Accounts Receivable Clerk 7. Accounts Receivable Clerk forwards confirmation to originating department.
- Director of Finance 8. Files SR-1 with Department of Motor Vehicles, where City vehicles are not involved.
9. Determines if responsible party has insurance and directs billing either to the insurance company or the responsible individual, if not covered by insurance.
10. Maintains files and follow-up on collection until City's claim is satisfied.
11. If beyond jurisdiction of Small Claims Court and otherwise uncollectible, refer to City Attorney or Collection Agency for collection.
- Superintendent of Auto Services 12. Ensure that copies of "Procedures for Reporting Injuries and Property Damage" be placed in glove compartment of all City vehicles.

Each Department Head should make copies of the attached Accident Notice form for use in reporting the accident.

Cross Reference:

CMD 86 - Reporting of Industrial Injuries/Illnesses
CMD 90 - City Procedure in Case of Death of Employee
CMD 112 - Emergency Medical/First Aid Treatment
California Vehicle Code §20002
California Vehicle Code §20003