

346 Crash Investigation and Reporting

346.2 CRASH RESPONSE

346.2.1 TOWING FROM A CRASH

346.2.2 REQUIRED SUPPORT NOTIFICATIONS

(a) Highway Enforcement

1. ~~When on-duty, Highway Enforcement shall assist with traffic incident management when a freeway is blocked. The CVE Unit will be contacted when:~~
 - (a) A bridge strike occurs.
 - (b) A commercial vehicle is involved in a crash fatality or likely fatality.
 - (c) A commercial vehicle is involved in a serious bodily injury crash involving a department employee, or first responder.
2. ~~A Highway Enforcement supervisor should be notified anytime patrol operations will be negatively impacted by:~~
 - ~~(a) A collision that will block a freeway for more than 60 minutes; or~~
 - ~~(b) A commercial motor vehicle crash involving a hazardous material spill occurring on a roadway.~~
 - ~~(c) Any serious injury or fatality involving a commercial vehicle.~~
3. ~~2.~~ The Vehicular Homicide Unit shall be promptly notified of vehicle crashes involving:
 - (a) Life threatening injury or death.
 - (b) Serious bodily injury involving ~~a Department employee~~ any on-duty first responder, regardless of agency.
3. The LTS Unit has on-call detectives and is available to assist with LTS, FSRA, and a pedestrian or other vulnerable roadway user at crosswalk crashes. The LTS Unit will be contacted and may respond when:
 - (a) LTS, FSRA or pedestrian or vulnerable roadway users at a crosswalk crash where serious bodily injury occurs and hospitalization is required of any person involved.
 - (b) FSRA crash where there are witnesses, victims, or suspects available to be interviewed.
 - (c) FSRA crashes that occur and the victim is any on duty first responder that suffers bodily injury.

346.2.3 PATROL CRASH INVESTIGATOR

346.3 CRASH INVESTIGATION

346.3.1 TOWING FROM A CRASH

346.4 TAKING ENFORCEMENT ACTION

346.4.1 LEAVING THE SCENE & FAILING TO STOP AND RENDER AID

When a driver leaves the scene of a crash where there is damage to a vehicle without exchanging information required by law, it is considered an Leaving The Scene (LTS) crash (Tex. Transp Code § 550.022). When there is very minor damage, officers should determine if a reasonable driver would have had knowledge of the damage caused.

Failing to Stop and Render Aid (FSRA) crashes are LTS crashes where someone suffers an injury (e.g., complaint of pain or visible injury) as a direct result of the crash (Tex. Transp Code § 550.021).

(a) Found LTS/FSRA Suspect Vehicle and/or Driver

1. If the suspect vehicle and/or driver is located before the original reporting officer's tour of duty ends, officers shall:

- (a) Obtain any additional information and include it in the incident report or write a supplement; ~~and~~
- (b) Take enforcement action if all necessary elements can be proven, ~~and~~ the intent to evade responsibility is shown, and the victim is willing to cooperate with prosecution; ~~and-~~
- (c) Contact LTS Unit to determine if a located vehicle should be impounded and a hold placed. If a hold is placed on a located vehicle, the name of the detective authorizing the hold shall be included in the incident report. The detective authorizing the hold is responsible for creating the Smartsheet hold notification.

(b) Enforcement Action

1. Enforcement of an LTS crash is determined by the following:
 - (a) A citation may be issued for a class C misdemeanor if the pecuniary loss is less than two hundred dollars (\$200).
 - (b) An LTS custody arrest may be made for a class B misdemeanor if the pecuniary loss is two hundred dollars (\$200) or more.
2. A driver that fails to stop and render aid in a crash with bodily injury or serious bodily injury should be charged when located and all elements of the charge are met.
3. Unless there is probable cause that the driver is intoxicated, officers will not ordinarily make arrests on the scene for crashes at crosswalks involving pedestrians or other vulnerable roadway users. An LTS unit detective must be consulted before any on-scene arrest occurs in these situations and there is no probable cause for driver intoxication.
4. Where intoxication is involved the appropriate charge for intoxication assault will be used. The Impaired Driving Investigations Unit is available to assist. Bodily injury and serious bodily injury crashes at crosswalks involving a pedestrian or other vulnerable roadway user that does not involve intoxication by the driver will require follow-up by the LTS unit.

~~(c) Required Information For Follow-up~~

- ~~1. If no enforcement action is made at the scene of an LTS crash and any of the following criteria is missing, there will not be enough evidence needed to file criminal charges. The officer shall notify the victim there will not be a follow-up investigation when there is:
 - ~~(a) Lack of a suspect driver description; or~~
 - ~~(b) Lack of a suspect vehicle description; or~~
 - ~~(c) Lack of a suspect license plate number.~~~~
- ~~2. FSRA crash follow-up shall be handled by the LTS Unit.~~

(c) LTS, FSRA, and crashes involving pedestrians or other vulnerable roadway users at crosswalks require a TxDOT Crash Report CR-3, and an APD report with appropriate title code.

1. Officers will write a 3605-2 Crash/Leave Scene-No suspect report and advise the victim no follow-up will be conducted when:
 - (a) The victim is making the report for insurance purposes only, and/or does not want to pursue criminal charges;
 - (b) There are no leads or evidence that could identify the suspect driver, or the vehicle which left the crash scene;
 - (c) No one can identify the LTS suspect driver; or
 - (d) There is property damage only.
2. Officers will write a 3605-Crash/Leaving The Scene report when:
 - (a) There is evidence or leads that can lead to the identity of the vehicle and suspect driver;
 - (b) There is property damage only; and
 - (c) The victim is willing to cooperate and follow through with prosecution.
 - (d) The case will be reviewed. After review the case will be suspended pending victim contact. Once the victim advises they wish to pursue the case it will be assigned to a detective.
3. Officers will write a 3604 Crash/FSRA report when a crash occurs and there is bodily injury or serious bodily injury and any driver flees the scene of the crash.
 - (a) FSRA crashes will be assigned to a detective for follow-up.

4. For all crashes at a crosswalk that involves a pedestrian or other vulnerable roadway user, officers will use the appropriate title code based on the level of injury.
- (a) Title code 3607-Crash/Crosswalk Vulnerable User BI will be written for incidents where no injury or bodily injury is reported.
 - (b) Title code 3608-Crash/Crosswalk Vulnerable User SBI will be written for incidents where serious bodily injury occurs.
 - (c) Title code 2105-0-Crash/Intoxication Assault will be written when the driver is intoxicated.

~~(d) Follow the reporting guidelines outlined in the "Crash Reports and Incident Reporting" section of this order.~~

346.4.2 PRIVATE PROPERTY CRASHES

346.5 CRASH REPORTS AND INCIDENT REPORTING

346.5.1 CRASH REPORTS

346.5.2 APD INCIDENT REPORTING

In addition to completing the appropriate crash report form(s), officers shall also complete a detailed incident report when crashes involve any of the following:

- (a) Life threatening injury or death.
- (b) Crime Scene Unit response (regardless if victim condition is upgraded).
- (c) Driver impairment due to alcohol or drugs is suspected.
- (d) Leaving the Scene (LTS) incident, refer to General Order 346.4.1 (c)(1) and 346.4.1(c)(2).
- (e) Failing to Stop and Render Aid (FSRA) incident, refer to General Order 346.4.1(c)(3).
- (f) Crash at Crosswalk Involving Pedestrian or Vulnerable User incident, refer to General Order 346.4.1.(c)(4).

~~(f)~~(g) An APD leased, owned or rented vehicle as outlined below.

~~(g)~~(h) An arrest for any offense.