

CRASHES – GENERAL REPORTING

POLICY:

It is the policy of the Omaha Police Department (OPD) to thoroughly report and document motor vehicle crashes in compliance with applicable Nebraska Revised Statutes. Officers will document all crashes electronically whenever possible. Officers may complete paper reports ONLY when the electronic reporting system is down (i.e., system failure). Officers will refer to the "[Crashes — Investigation Procedures](#)" Policy for policies and procedures regarding the investigation of motor vehicle crashes.

PROCEDURE:

I. Electronic Crash Report (ECR) Requirements

- A. Officers will complete an Electronic Crash Report (ECR) when they respond to motor vehicle crashes.
- B. If a specific cruiser's electronic reporting system is down, but the overall OPD system is functioning, the officer(s) shall complete the ECR at their assembly.

II. General Crash Reporting Procedures

- A. When OPD officers are dispatched to or otherwise encounter a motor vehicle crash, they will, upon determining that a crash has occurred, complete either an ECR or, in the case of Electronic Reporting System failure, an Investigator's Motor Vehicle Accident Report (NDOT Form 40).
 - 1. This report will be prepared for all motor vehicle crashes involving injury or property damage, including incidents in which:
 - a. An item is thrown or falls from a moving vehicle which then subsequently causes damage to property or injury to a person.
 - b. A person is thrown or falls from a moving vehicle and then subsequently causes damage to property or injury to another person.
 - (1) The only exceptions to these rules are outlined under the "Quasi-Public Property and/or Private Property" sub-section of this policy.
 - 2. The cost of the damage will NOT determine if a report will be made.
- B. The officer who prepares the original ECR or Investigator's Motor Vehicle Accident Report (NDOT Form 40) (in the case of Electronic Reporting System failure) will gather as much information as possible. Officers will document the following in the report:
 - 1. Description (photographing when available) of:
 - a. Tire marks or gouges on the roadway.
 - b. Vehicles involved (i.e., damage, positions, and license plate numbers of involved vehicles, etc.).
 - (1) Officers will label the "at fault" vehicle as "Vehicle #1." All other involved vehicles will be labeled in ascending order based on the order in which they were determined to have been impacted in the crash.

- c. Debris.
 - d. Blood.
 - e. Position of deceased person(s).
 - f. Any items or conditions that may have caused visual obstruction.
 - g. Absence of or presence of any confusing signs or other traffic conditions that contributed to the crash.
 - h. Any other pertinent roadway evidence or involved items.
 - 2. Measurements and diagrams showing the positions of vehicles, deceased person(s), debris, tire marks, etc.
 - 3. Statements, comments, or quotes of drivers and/or witnesses.
 - 4. Whether there were any actions by the driver that may have contributed to the crash (i.e., the driver was using a cellular telephone at the time the crash occurred).
 - a. If the officer is completing an ECR, this will be noted in the "Contributing Circumstances" section of the report.
 - b. If the officer is completing the paper NDOT Form 40, this information will be entered in box "M" – "Major Contributing Human Factor."
 - 5. All other information required in the ECR or Investigator's Motor Vehicle Accident Report (NDOT Form 40).
- C. The injury severity codes used on the ECR and the Investigator's Motor Vehicle Accident Report NDOT Forms are opposite from the codes used by the OPD (OFD codes). The NDOT Form 40 and OFD injury severity codes are as follows:
- 1. Minimal or no apparent disease or injury. Patient transported for examination.
 - a. OFD Code 1.
 - b. NDOT Form 40 Code 4.
 - 2. Obvious illness or injury. Not serious but needs medical attention.
 - a. OFD Code 2.
 - b. NDOT Form 40 Code 3.
 - 3. Trauma patient with an obvious injury but doesn't meet criteria for a Code 3. Enough signs or symptoms exist to warrant the expertise of a Trauma Center.
 - a. OFD Code 2 Trauma (TCC).
 - b. NDOT Form 40 Code 3.
 - 4. Apparent serious/life-threatening MEDICAL ILLNESS needing immediate medical attention.

- a. OFD Code 3.
 - b. NDOT Form 40 Code 2.
 - 5. Trauma patient with an actual or potential life- or limb-threatening injury.
 - a. OFD Code 3 Trauma (TCC).
 - b. NDOT Form 40 Code 2.
 - 6. Fatal injury.
 - a. OFD Code 4.
 - b. NDOT Form 40 Code 1.
 - D. Information and details that are considered investigatory information will be entered in an OPD Continuation/Supplementary Report ([OPD Form 200A](#)).
- NOTE:** See NRS [§84-712.05](#) regarding what could be considered investigatory information.
- E. If the Electronic Reporting System has failed and officers complete a paper “Investigator’s Motor Vehicle Accident Report” (NDOT Form 40), they will adhere to the following procedures:
 - 1. The OPD RB number will be entered in the space provided for the “Agency Case No.” The “For State Use Only” box will be left blank.
 - 2. The Investigator’s Motor Vehicle Accident Report (NDOT Form 40), only has space for a brief synopsis. In order to record additional details as needed, as well as all information that is considered investigatory, officers will complete an OPD Continuation/Supplementary Report ([OPD Form 200A](#)) in:
 - a. ALL Felony Hit and Run crashes.
 - b. Any other crash in which additional narrative space is needed.
 - 3. Officers may, if circumstances dictate, complete the Investigator’s Motor Vehicle Accident Continuation Report (NDOT Form 40a, buff-colored) for continuations of crashes, injuries, and narratives.
 - a. This report shall be submitted with the completed NDOT Form 40.
 - b. This report has a similar heading to the NDOT Form 40, and the first two lines shall be completed when used.
 - 4. Official police reports will not be given to non-OPD employees for them to complete under any circumstances. Only official OPD employees will complete the Investigator’s Motor Vehicle Accident Report Forms.
 - F. Incomplete Reports.
 - 1. In many cases, an investigation of a motor vehicle traffic crash will be incomplete. These circumstances exist when only one driver is reporting the event (i.e., most Hit and Run investigations, reports taken at the OPD Headquarters Front Desk, OPD precincts, etc.).

2. A report filed by only one driver shall never be accepted as a factual account of a prior crash. These reports are used as the basis for additional follow-up investigation of the incident.
3. The officer will indicate in the narrative of the ECR or the NDOT Form 40 if the report is incomplete, as well as any information available regarding other vehicles and/or descriptions of drivers who are no longer at the scene.
 - a. The officer will document whether the report is based on the statements of Driver #1, witnesses, the vehicle owner only, or any combination of sources.

G. Information Exchange for Drivers Involved in a Crash.

1. In all crashes, officers will either:
 - a. Make certain involved parties exchange information as required by law.

– OR –
 - b. Provide drivers with the Information Exchange for Drivers Involved in Accidents Form ([OPD Form 34](#)).
 - (1) This form is a courtesy to motorists involved in crashes. This information is necessary so that motorists involved in crashes can respond to the requirements of the State of Nebraska and to their own insurance companies.
 - (2) When completing an ECR, officers will print out a copy of the completed [OPD Form 34](#) for all involved drivers.
 - (3) If officers are unable to complete an ECR for any reason, officers will:
 - (a) Provide each driver with a paper copy of [OPD Form 34](#) for the drivers to complete while the officer conducts the investigation.
 - (b) The officer will examine each [OPD Form 34](#) to verify that the forms were properly completed, and will then make certain the drivers exchange forms.

H. Driver's Motor Vehicle Accident Report (NDOT Form 41).

1. The Nebraska Department of Roads requires that ALL drivers (including on-duty non-sworn and sworn police employees) involved in all instances of a crash that results in personal injury, death to any person, or in which damage exceeds one thousand dollars (\$1,000) to the property of any one person, must submit a Driver's Motor Vehicle Accident Report (NDOT Form 41) within ten (10) days after each crash.

NOTE: NDOT Form 41 can now be completed online at:
<https://ecmndotportal.nebraska.gov/NDOT-CRASH-REPORTING>

- a. If an officer marks the Accident Report indicating damage to any vehicle or property involved exceeding \$1,000, ALL DRIVERS INVOLVED will be advised to complete a Driver's Motor Vehicle Accident Report (NDOT Form 41) and forward it to the State as instructed on the form.

- b. If the driver is physically unable to fill out the report, the owner of the motor vehicle is required to do so.
 - c. An attorney, insurance agent, or the nearest law enforcement authority may be consulted if there is difficulty filling out the form.
 - d. Failure to report a crash as required is a Misdemeanor punishable by a fine and possible revocation of the Driver's Operator's License.
- 2. The NDOT Form 41 will also be completed by civilians when they need to report a crash to which law enforcement did not respond.
 - a. NDOT Form 41 will be provided to civilians for their completion upon request.
- 3. If City of Omaha non-sworn employees or sworn officers are involved in a crash while operating a City-owned vehicle and damages to the City-owned vehicle exceed \$1,000, the "Name of Insurance Company Affording Liability Coverage on Date of Accident" on the Driver's Motor Vehicle Accident Report (NDOT Form 41) will be entered as "City of Omaha Self Insured."
 - a. This is to make certain that the report of the crash will not be forwarded to the driver's personal insurance company, but will stay at the State level.
- I. Officers will not print additional copies of reports for citizens. Officers will direct citizens to the OPD Records Unit for copies of crash/ECR reports.
- J. Officers who identify a dangerous roadway engineering issue in the course of their investigation will complete an Inter-Office Memo detailing the specific problem.
 - 1. The Inter-Office Memo will be routed to the UPB Deputy Chief via chain of command for follow-up and review as appropriate.
- K. Hospital Follow-Up Reports.
 - 1. When conducting a hospital follow-up as part of an investigation of a serious injury or fatality crash, officers will complete an OPD Accident/Hospital Supplementary Follow-Up Report ([OPD Form 200U](#)).
 - a. The Accident/Hospital Supplementary Follow-up Report ([OPD Form 200U](#)) may be provided by the Crash Investigator if necessary.
 - b. The Crash Investigator or the Crash Investigator's designee will make certain that all portions of the report that apply to the specific incident are properly filled out and that the completed report is returned to the Crash Investigator.
- L. The Traffic Unit does not process property damage crash reports made by UPB officers. In the event that calls are received by the Traffic Unit concerning omissions or errors on property damage crash reports, the following will occur:
 - 1. The caller will be advised to contact the appropriate UPB Captain under whose supervision the originating officer is/was assigned at the time they made the report.
 - 2. Advise that Captain of the problem with the report.
 - 3. The UPB Captain may then initiate whatever action is necessary to amend the incorrect or incomplete report.

III. Crash Tows

- A. When towing vehicle(s) from the crash scene, investigating officers will complete an Accident Towing Agreement ([OPD Form 90](#)) and/or the Recovered/Impounded Vehicle form (OPD Form 202) as appropriate.
 - 1. The Accident Towing Agreement ([OPD Form 90](#)) will be completed when the damaged vehicle is towed from the crash scene as a courtesy to citizens.
 - a. Investigating officers will complete an Accident Towing Agreement ([OPD Form 90](#)) for each vehicle towed.
 - b. If the driver/owner of the vehicle is unable to sign the Accident Towing Agreement ([OPD Form 90](#)) (i.e., the driver is hospitalized), the officer will still complete [OPD Form 90](#) and have the vehicle towed from the scene.
 - c. If the driver/owner signs the Accident Towing Agreement ([OPD Form 90](#)), but leaves before the tow company arrives, the driver/owner will be advised that their vehicle will be towed to the OPD Vehicle Impound Lot.
 - 2. The investigating officer will complete the Recovered/Impounded Vehicle form (OPD Form 202) in the following circumstances:
 - a. If the vehicle being towed is being impounded, held as evidence, or being towed for a violation.
 - b. If a vehicle that was towed from the crash scene required a non-traditional tow and/or additional towing costs (i.e., flipped vehicle etc.).
 - (1) Officers will note the circumstances in the “Details of Impounding or Recovery” field on the “Recovered/Impounded Vehicle” form (OPD Form 202).

IV. Hit and Run Crashes

- A. When responding to Hit and Run Crashes, officers will complete either an ECR or, in the case of Electronic Reporting System failure, an “Investigator’s Motor Vehicle Accident Report — Hit and Run” form (NDOT Form 40).
 - 1. Officers will document the description of the run driver and/or the vehicle and license plate number (if known) in the narrative of the report.
- B. An OPD Continuation/Supplementary Report ([OPD Form 200A](#)) shall be completed in all Felony Hit and Run investigations.
 - 1. This report will include, at a minimum, the following information:
 - a. All known suspect information (including a description of the suspect’s clothing, appearance, injuries etc.).
 - b. A detailed physical description of the crash scene (including weather conditions, significant roadway evidence, and the status of any traffic control devices).
 - c. Impound Report listed or description of the run vehicle (including possible damage, plate number if known, etc.).

- d. Witness and victim statements, if any (including names and contact information).
 - e. All details of the original officer's investigation, attempts to locate the run vehicle/driver, or video evidence, etc.
 - f. Name of the OPD Crash Investigator who was notified.
 - g. Actions of each investigative officer.
2. If the officer is not physically looking at the run vehicle and/or does not have custody of the driver of the hit and run vehicle at the time that the report is completed, the information above will still be documented in the narrative section of the report to the maximum extent possible.
- a. This information will NOT be documented in the Vehicle #2 section of the NDOT Form 40 report.
3. The only exception to this procedure is when the officer/Crash Investigator is physically looking at the run vehicle at the time of the report and intends to impound the vehicle, issue a citation to, or physically arrest the operator of the hit and run vehicle.
- a. If the officer/Crash Investigator has physical control of the hit and run vehicle, the officer may then complete the information for the corresponding vehicle on the ECR or NDOT Form 40 report.
 - b. If the officer/Crash Investigator has custody of the driver of the hit and run vehicle and intends to issue a criminal citation or make a physical arrest, the officer will list the hit and run vehicle driver's information on the ECR or NDOT Form 40 report.
4. The ECR or "Investigator's Motor Vehicle Accident Report — Hit and Run" form (NDOT Form 40) will suffice as the initial Incident Report for the incident. An additional Incident Report ([OPD Form 189](#)) will not be required for the Hit and Run incident.
- C. Sending Hit and Run Crash Reports to the Accident Office.
1. When the reporting officer has completed all necessary reports, the officer will obtain an RB Number and make certain that it is documented on ALL applicable reports.
2. If officers complete an ECR, PortalOne will automatically generate and send a copy of the "Investigator's Motor Vehicle Accident Report — Hit and Run" form (NDOT Form 40) to the Accident Investigation Office.
- a. Officers will be responsible for scanning and emailing all other related reports to the Accident Office as soon as practical after the original officer documents the investigation. (See [Appendix A](#) for the email address).
3. If paper reports are completed for a Hit and Run crash, officers shall:
- a. Scan and email ALL related reports to the Accident Office as soon as practical after the officer documents the investigation. (See [Appendix A](#) for the email address).

V. City-Owned Vehicles

A. Crashes on Private Property.

1. All non-injury motor vehicle crashes involving City-owned vehicles that occur on private property will be assigned an RB Number and will be documented as an Information Report to the OPD Traffic Unit.
2. UPB officers will be dispatched and will complete an Investigative Information Report in PortalOne for crashes that are not a Hit and Run. Officers will include the following information:
 - a. Details surrounding the crash.
 - b. Involved driver information.
 - c. Vehicles involved.
 - d. Property damaged.
 - e. Property owner information.
 - f. Insurance information (if applicable).
 - g. VAN numbers for City vehicles (if applicable).
3. Officers will document the scene using their Body Worn Camera and will tag the video as evidence under the appropriate RB number.
4. Involved City employees are responsible for completing their own City of Omaha "[Report of Occurrence](#)" form.
5. Injury crashes or hit and run crashes that occur on private property will be investigated by Crash Investigators.

B. Crashes on Public Property.

1. The investigation of motor vehicle crashes that occur on public property involving equipment belonging to any other City department are to be documented according to standard OPD policies and procedures.
2. A "[Report of Occurrence](#)" form will NOT be completed by the investigator.
3. Involved City employees are responsible for completing their own City of Omaha "[Report of Occurrence](#)" form.

C. In ALL Hit and Run crashes involving City-owned vehicles, the Crash Investigator will complete either an ECR or, in the case of Electronic Reporting System failure, an "Investigator's Motor Vehicle Accident Report — Hit and Run" form (NDOT Form 40).

D. In all crashes involving City-owned vehicles and property (including OPD vehicles), a Continuation/Supplementary Report ([OPD Form 200A](#)) will be completed by the investigating officer. The Continuation/Supplementary Report will list the other party's insurance information as follows:

1. Company name and address.
2. Policy number (if available).

3. Telephone number of the company.
 4. Agent's name, address, telephone number.
 5. Any other local office or address of the insurance carrier.
- E. In minor, non-injury traffic crashes involving City-owned snow removal equipment during times of inclement weather, it is the responsibility of the snow plow driver and the Public Works Department to be certain information is exchanged and a claim for damage is completed.

VI. OPD Vehicle Crashes

- A. Crashes that involve an OPD City-owned vehicle will be handled in the same manner as all other City-owned vehicles, except a UPB supervisor shall respond to the scene.
- B. All non-injury motor vehicle crashes involving OPD City-owned vehicles that occur on private property shall be assigned an RB Number and shall be documented on an Information Report to the Traffic Unit.
1. The UPB supervisor shall be responsible for documenting the involved officer(s)'s statements and the scene using their Body Worn Camera, including damage to vehicles.
 2. The supervisor shall tag the video evidence with the appropriate RB number.
 3. If the UPB supervisor determines the incident has the potential for high liability to the City, or occurred under questionable circumstances, they shall contact an OPD Crash Investigator to complete the investigation.
 4. When an OPD City-owned vehicle strikes a curb, pothole, storm drain, or road debris causing damage to the vehicle, the incident shall be documented on an Information Report to the Traffic Unit.

NOTE: Wild animal strikes/crashes shall also be documented via Information Order to the Traffic Unit.

5. If the crash occurred on a public roadway, or involved a hit and run on private property, the OPD Crash Investigator will complete an ECR. In the event of Electronic Reporting System failure, a paper Investigator's Motor Vehicle Accident Report (NDOT Form 40) will be completed.
6. If the crash involves an OPD City-owned vehicle on private property and results in an injury, the incident shall be documented on an Injury Report and shall be investigated by an OPD Crash Investigator.
 - a. The OPD Crash Investigator shall document the scene utilizing a digital single lens reflex (DSLR) camera.
 - b. The photos shall be uploaded into Foray under the appropriate RB number.
7. When an OPD City-owned vehicle is involved in a crash, a Chief's Report ([OPD Form 214](#)) will be completed by the employee. (See the OPD "[Chief's Reports](#)" policy for more details).
 - a. The UPB command officer who supervised the investigation of the crash scene will review all reports completed in relation to the incident.

- b. The command officer's investigation will include recommendations based on all information and knowledge available. This will be reported in the required Chief's Report packet filed by the involved officer.
- 8. The involved employee(s) will complete a "Police Equipment — Accountability" form ([OPD Form 24](#)) to document damage of OPD equipment, per the OPD "[Equipment](#)" policy.
- 9. A "[Report of Occurrence](#)" (City of Omaha Law Department Form) will be completed by the involved officer.
- 10. An OPD Continuation/Supplementary Report ([OPD Form 200A](#)) will be completed by the investigating officer.
 - a. The Continuation/Supplementary Report will list the other party's insurance information as described in the "City-Owned Vehicles" Section of this policy.

VII. Quasi-Public Property and/or Private Property

- A. OPD officers dispatched to quasi-public property or private property to obtain a report of a crash will normally NOT complete an ECR or an Investigator's Motor Vehicle Accident Report (NDOT Form 40). Exceptions include the following situations:
 - 1. Leaving the Scene of a Property Damage or Personal Injury Crash on quasi-public property and private property.
 - 2. When a motor vehicle leaves the roadway and crosses a yard and is unintentionally involved in a collision with any object.
 - a. If the investigating officer determines that the collision was unintentional, an ECR or, in the case of Electronic Reporting System failure, an Investigator's Motor Vehicle Accident Report (NDOT Form 40) will be completed.
 - b. If the investigating officer determines that the collision was intentional, an Incident Report ([OPD Form 189](#)) will be completed specifying the offense as a Destruction of Property.
- B. Injuries that result from motor vehicle crashes on private or quasi-public property that are not Hit and Run crashes will be documented on an Injury Report (PortalOne).
- C. If a vehicle crosses a lawn or any ground, private or public property, and causes damage without any other collision, the incident will be classified as Destruction of Property based on the complaint of the property owner.
 - 1. Officers will complete an Incident Report ([OPD Form 189](#)).
- D. If a vehicle crosses a lawn or any ground, and no injuries or damages to vehicles or other objects exist, damage to lawns or grounds will be classified as a Destruction of Property incident and reported on an Incident Report ([OPD Form 189](#)).

VIII. Trucks, Buses, and Triple Trailer Trucks

- A. Officers will complete an ECR or, in the case of Electronic Reporting System failure, the "Investigator's Supplemental Truck and Bus Accident Report" (NDOT Form 174) when

investigating a motor vehicle crash involving any of the commercial vehicles listed below, per the [Commercial Motor Vehicle Safety Act of 1986, 49 USC §31100](#):

1. Vehicles that have a gross vehicle weight rating or gross vehicle weight of at least 10,001 pounds (whichever is greater).
 2. Vehicles displaying a hazardous materials placard.
 3. Buses designed to transport ten (10) or more passengers, including the driver.
- B. When documenting incidents in which more than two trucks/buses are involved in the same crash, officers will adhere to the following procedures:
1. If officers complete an ECR, a separate ECR will NOT need to be completed for each truck/bus involved in the same crash.
 2. If the Electronic Reporting System is down, officers shall complete a separate NDOT Form 174 for each truck/bus involved in the crash.
- C. The paper "Investigator's Supplemental Truck and Bus Accident Report" (NDOT Form 174) is available in the OPD Police Supply Unit.
1. Instructions for completing the report are on the back side of the form and also available in the "Investigator's Motor Vehicle Accident Report Forms" handbook available from the OPD Police Supply Unit.
 2. The RB Number will be written in the upper left corner of the front side of this report in the box marked "Agency Case Number."
- D. Triple Trailer Trucks.
1. Officers who investigate personal injury or property damage collisions involving triple trailer trucks shall indicate in the ECR that a "Triple Trailer" was involved by selecting the configuration of the truck.
 - a. If the Electronic Reporting System is down, and officers complete a paper "Investigator's Supplemental Truck and Bus Accident Report" (NDOT Form 174), they will clearly indicate at the top of the report that a "Triple Trailer" was involved.
 2. Any officer who issues a citation for a traffic offense to the operator of a triple trailer truck will also complete an Information Report ([OPD Form 42](#)) to detail the circumstances of the violation, the type of vehicle and identification of the operator.
 - a. The heading of the Information Report ([OPD Form 42](#)) will read:
 - (1) OFFENSE/SUBJECT MATTER: Triple Trailer Truck.
 - (2) BUREAU: Uniform Patrol Bureau.
 - (3) UNIT: Traffic.
- NOTE:** If an "Investigator's Supplemental Truck and Bus Accident Report" (NDOT Form 174), or its electronic equivalent has been prepared in conjunction with the citation, an Information Report ([OPD Form 42](#)) IS NOT required.

3. The Traffic Unit is responsible for notifying the Highway Safety Division of the Nebraska Department of Transportation regarding all traffic violations involving triple trailer trucks, and will do so in a timely manner.

REFERENCES:

I. Laws

- A. The Commercial Motor Vehicle Safety Act of 1986, 49 USC §31100 is referenced in this policy.
- B. NRS [§60-6,290](#), [60-6,292](#), [60-696](#), [60-697](#), and [84-712.05](#) are referenced in this policy.

II. Previous OPD Orders

- A. Previous General Orders include the following: #63-74, 83-85, 121-88, 12-90, 23-90, 27-92, 6-97, 8-99, 13-99 and 13-99 Supplement #1, 52-00, 72-00, 30-01, 53-01, 23-02, 15-05, 23-06, 26-06, 8-15, 2-16, 29-17, and 22-20.

III. Accreditation Standards

- A. CALEA Accreditation Chapter 61 and Standard 83.2.6 are relevant to this policy.