**SAMPLE CITY/TOWN**

**Vehicle Accident / Report and Review Process**

1. **INTRODUCTION**
2. The City/Town has an obligation to review all traffic/vehicle accidents involving City/Town vehicles. To accomplish this, the City/Town has established a Vehicle Accident Review Board. This Board will review every traffic/vehicle accident to help determine the cause and make recommendations as needed. The main objective of this directive is to reduce injuries, lower overall exposure to liability, and prevent future traffic/vehicle accidents.
3. In instances where City/Town personnel are found to be at fault, corrective and/or disciplinary measures may be taken.
4. **REPORTING ACCIDENTS**
5. All traffic/vehicle accidents involving City/Town vehicles shall be immediately reported to an immediate supervisor and, if outside the City/Town’s jurisdiction, the appropriate law enforcement jurisdiction. All personnel involved in such accidents shall follow the procedures outlined herein.
6. The supervisor or their designee shall respond to the accident location, if possible, to ensure that all procedures and other appropriate actions are completed.
7. **ACCIDENT INVESTIGATION AND JURISDICTION**
8. An investigation of the traffic/vehicle accident shall be conducted by the City/Town’s Police Department unless the accident involves a police vehicle or a member of the police department. In those incidents, the Alabama Law Enforcement Agency (ALEA) [*or another designated law enforcement agency]* shall conduct the investigation.
	1. If a non-police department traffic/vehicle accident occurs outside the City/Town jurisdiction, the law enforcement agency from that jurisdiction should investigate the accident.
	2. Traffic/vehicle accidents resulting in minor damage to the City/Town vehicle that do not involve injury, damage to property of another, AND, do not occur on a public roadway may be reported on a Police Incident/Offense Report (I/O) or other designated City/Town report.
9. In all incidents, an internal investigation will also be conducted for all City/Town traffic/vehicle accidents resulting in damage to City/Town property or the property of another, or injury to any person.
10. **REPORTS**

At a minimum, the following reports shall be completed for each incident addressed in this procedure, and copies of all documents shall be forwarded to the review board.

1. A report from the investigating law enforcement agency, if applicable.
2. Photographs of the accident scene, involved vehicle(s), property damage, etc.
3. A written statement from the involved employee concerning the accident.
4. A report summarizing the incident from the involved employee's supervisor.
5. **VEHICLE ACCIDENT REVIEW BOARD**
6. The Vehicle Accident Review Board will investigate and review all traffic/vehicle accidents which involve vehicles assigned to the City/Town. The Board will be comprised of City/Town employees who will be assigned from various departments. The Board will meet as needed, review all information available concerning referred traffic/vehicle accidents, and make a recommendation to the appropriate Department Head in each case reviewed.
7. **PERSONNEL**
8. The Vehicle Accident Review Board will be comprised of four *[or other number as appropriate]* City/Town personnel, appointed by the Mayor or their designee as follows:
9. A command level officer recommended to the Mayor by the Chief of Police to serve as the senior member.
10. Other members will be appointed to represent the various City/Town departments.
11. The Mayor or their designee may replace or substitute an appointed member of the Board at any time. A board member will be replaced or substituted if absent from the City/Town for any reason, or if he/she is personally involved in an accident. This replacement may be temporary or permanent.
12. **RULES**
13. The Vehicle Accident Review Board will be comprised of personnel listed herein.
14. The Board may be called into session at any time by the Mayor or their designee.
15. The senior member of the Board will be forwarded copies of the following:
16. A copy of the accident report from the agency which investigated the accident.
17. A copy of all supplemental reports or written statements, dash cam, body cam, photographs, and any other reports with facts surrounding the accident.
18. The Board will obtain copies of any previous accidents incurred by the involved employee from his/her personnel file.
19. The Board will obtain the Vehicle Maintenance File. This file will include reports on any previous accidents involving the vehicle and will also contain detailed repair and maintenance information on the vehicle in question.
20. **BOARD PROCEDURES**

The following outline will be followed by the Vehicle Accident Review Board on each case presented:

1. The senior member of the Board will present the facts.
2. The involved employee will answer any questions or offer any other information.
3. The senior member of the Board shall have the authority to order persons employed by the City/Town before the Board as witnesses. All personnel will respond to such an order.
4. The Board will determine the following and issue its findings to the Mayor or their designee:
5. No negligence of the employee was found.
6. Training Issue.
7. Policy Issue.
8. Safety equipment/seatbelts used or not used.
9. Vehicle Mechanical Failure to include Wheel/Tire Failure, Brakes, Steering and Suspension, Headlights/Taillights, Windshield Wipers, and Engine Failure
10. Negligence of the employee found.
11. Following the review all reports will be turned in to the Mayor or their designee and involved Department Head for any further action and final disposition.

APPROVED: MAYOR DATE

I HAVE READ AND UNDERSTAND THIS ORDER

SIGNATURE OF EMPLOYEE DATE

***DISCLAIMER***

***NOTE****: These documents are being provided to you from the AMIC/MWCF Loss Control Division and are not intended to be legal advice. They do not identify all the issues surrounding a particular topic. Laws and “Best Practices” change and policies must be continually reviewed and updated as needed. Public agencies are encouraged to review their procedures with an expert or an attorney who is knowledgeable about the topic. Reliance on this information is at the sole risk of the user.*