



## TRANSIT POLICE

# MOTOR VEHICLE ACCIDENTS

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Office of Primary Responsibility: Inspector Support Services

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## POLICY

### Definitions

Chief Officer – The Transit Police Chief Officer or delegate.

Designated Constables – The Transit Police police officers appointed by the Police Board.

JPD – Jurisdictional Police Department.

Member – A Designated Constable, the Chief Officer or a Deputy Chief Officer of the Transit Police.

MVA – Motor Vehicle Accident.

Police Act – The BC Police Act, RSBC 1996, c. 367, and the regulations thereto, including the Transit Police Operations Regulation, all as amended from time to time.

Transit Police – The South Coast British Columbia Transportation Authority Police Service.

### Authority

1. Members are required to comply with requirements of the *Police Act*, the *Motor Vehicle Act*, regulations and standards thereto, all as amended from time to time.

### General

2. Transit Police Members will comply with legal requirements and Transit Police policy regarding reporting and investigation of collisions involving Transit Police vehicles. Where an external police agency is the investigating agency, the Transit Police will comply with requirements of the investigator and assist with the investigation, when requested and feasible.

## PROCEDURES

### Duties of Transit Police Members and Supervisors

3. Whenever a Transit Police vehicle is involved in a collision , regardless of the damage or injury, the Member must immediately report the incident to the Watch Commander (or as soon as is practicable given the circumstances).
4. Members involved in a motor vehicle collision in a police vehicle will take all reasonable steps to protect the scene without moving the vehicles (giving consideration to safety, the extent of the damage/injuries and the circumstances surrounding the collision) prior to the attendance of the JPD or the Transit Police assigned investigator.
5. The Watch Commander will ensure that a Transit Police Supervisor attends collisions where the circumstances warrant it (factors to consider include: severity of collision, if injuries involved, if young person involved, time delay and distance to the scene).
  1. Whenever, a Transit Police Supervisor is involved in a collision, a Transit Police Supervisor of a higher rank will be assigned to attend.
6. If there are injuries or the combined damage is estimated to exceed \$5,000, the Watch Commander will ensure that the JPD is immediately notified, so that they can assume the investigation.
  1. Pursuant to Transit Police policy chapter OA130 - Pursuits, all Pursuit-related collisions involving Members will be investigated by the police agency responsible for that jurisdiction or another external police agency as so determined by the Chief Officer.
7. If there are no injuries and the combined damage is estimated to be less than \$5,000, the Watch Commander will use their discretion, based on all of the circumstances, on whether to contact the JPD. When the Watch Commander determines not to contact the JPD, the Watch Commander will assign a Transit Police investigator.
8. When the JPD take conduct of the investigation, the Member(s) involved will fulfill their reporting obligations, including those under the *Motor Vehicle Act* as well as the *Police Act* (such as reporting of a Critical Incident to the Independent Investigations Office) and Transit Police policy. The attending Transit Police Supervisor will liaise with the JPD investigators, and assist as requested and as operationally feasible.

**[Refer to: AC140 – Complaints, OA130 – Pursuits, OH070 – Independent Investigations Office]**

9. When the JPD takes conduct of the investigation, the Member(s) involved will obtain the driver's copy of the MV6020, where applicable.
10. When a Transit Police investigator is assigned, a thorough investigation of the incident will be completed as promptly as possible. The attending Supervisor will

oversee the investigation, unless otherwise so determined by the Watch Commander or higher ranking Transit Police Officer. The Transit Police investigator will, as applicable to the collision:

1. submit a MV6020 report;
  2. submit a General Occurrence (GO) report, including a diagram as an attachment; and
  3. submit a Report to Crown Counsel.
11. When a Transit Police investigator believes that a Provincial Violation Ticket should be issued under provisions of the *Motor Vehicle Act*, the Transit Police investigator will only do so after consultation with, and authorization of, the Watch Commander.
  12. The attending Transit Police Supervisor will ensure, where necessary, that the firearm of an injured Member is properly secured, and that portable radios and laptops are removed from the vehicle and returned to the appropriate police facility.

### Internal Reporting

13. When a Transit Police vehicle is involved in a collision resulting in injuries or extensive property damage, or if extenuating circumstances exist, the Watch Commander will promptly notify the Deputy Chief Officers and Chief Officer, as appropriate. The Watch Commander will also ensure that any reporting requirements are completed for reportable matters under the *Police Act*, including requirements for Critical Incidents to the Independent Investigations Office.
14. The attending Transit Police Supervisor will submit a report to the Inspector Operations containing a synopsis of the incident, recommendations concerning action to be taken and any other relevant information. The Supervisor will also prepare the TP Form AZ950B – Injuries/Incident Investigation Report (Supervisor), where applicable.
15. For TransLink claims and insurance purpose, as soon as is practical following the collision, the Member who is the driver of the police vehicle will complete TP Form AZ960 – Employee's Incident Report (TL Form M731) and forward it to the Watch Commander via the chain of command.
16. The Watch Commander will review the submitted Form AZ960 for completeness and accuracy, and forward it to the Inspector Operations. The Inspector Operations will then review the submitted Form AZ960 for completeness and accuracy and, when authorized by the Inspector Operations, forward it to the Transit Police Informatics Manager.
17. The Informatics Manager will electronically release a copy of the Form AZ960 document to TransLink claims and forward a copy to the Transit Police Fleet Manager for organizational record keeping, statistical analysis and other reporting purposes.
18. When a Member has been injured in the collision, the Member is also required to submit a completed TP Form AZ950A – Employee Injuries/Incident to their Supervisor, or as otherwise outlined in Transit Police protocols.

**Review**

19. The Chief Officer will establish a Collision Review Board, including appointment of a Collision Review Board Chair, to review all collisions involving Transit Police vehicles. The review will include, but is not limited to, classifying whether the incident was non-preventable or preventable, identification of training and equipment issues, and recommendation of follow-up actions. The analysis to also include determination of whether:
1. No blame;
  2. Calculated risk in the operation of a police vehicle;
  3. Intended Action; or
  4. Error in judgment on the part of the Member.
20. The Collision Review Board will convene on the direction of the Collision Review Board Chair. The designated Review Board Chair will submit the Committee's findings and recommendations for consideration by the Deputy Chief Officer Support Services.

**Key References**

BC Police Act [RSBC 1996, Chapter 367]  
Emergency Vehicle Driving Regulation (EDVR) [BC Reg 133/98]  
Memorandum of Understanding Respecting Investigations between Independent Investigation Office of BC (IIO) and Jurisdictional Police [July 16, 2012]  
Memorandum of Understanding between Transit Police and Jurisdictional Police  
Motor Vehicle Act [RSBC 1996, Chapter 318]