

ADMINISTRATIVE ORDER NUMBER 2-4

SUBJECT: Vehicle Accident/Incident and Property Loss/Damage Reporting and Investigating Procedures

Responsible Department: Personnel Services

Date Issued: 12-01-1998

Date Revised: 09-18-2019

Approved: *(Signature on File)*

Policy

All accidents or incidents involving City vehicles or personal vehicles used for City business, and loss of or damage to any City property, are to be reported and investigated in accordance to the procedures set forth herein. Risk Management is responsible for the investigation of any property damage or liability claim as a result of such accidents or incidents resulting in loss or damage to City property. Employees are required to cooperate with law enforcement and Risk Management in the course of their respective investigations.

Purpose

To provide guidelines regarding the distribution of information and the preservation of evidence in the event a City vehicle or personal vehicle while being used for City business is involved in any incident or accident that may result in a potential claim against the City, and to document and investigate any City property loss or damage.

Procedures

1. Employee Involved in a Vehicle Accident or Incident
 - a. The employee **shall** immediately contact the appropriate law enforcement agency and identify themselves as a City of Fresno employee who has been involved in a vehicular accident or incident involving City property or in a personal vehicle while being used for City business. If there are exigent circumstances or if the employee is involved in an emergency response, the employee should make the report as soon as practical. Employees shall request that law enforcement respond to the scene in order to complete a police report. If there are any injuries requiring medical attention, an ambulance should be requested.
 - b. After contact with the appropriate law enforcement agency, the employee **shall** report the accident or incident to their supervisor or in accordance with their specific department policy, who must notify the Risk Management division in the Personnel Services Department. The employee shall complete the Automobile Accident or Loss Notice form along with any additional pertinent information, which shall be provided to the Risk

Management division by the employee or supervisor in accordance with department policy.

All accidents shall be reported even if no injuries are reported or damage observed.

- c. For accidents that result in injury, death, or property damage in excess of \$1,000, DMV form SR-1 must be completed by the employee and mailed to DMV within 10 days, regardless of fault.
 - d. The employee **shall** attempt to obtain the identity of the other parties and any witnesses involved in the accident or incident. Information obtained shall include the name, address, and insurance information pertaining to the other parties.
 - e. The employee **shall not** express any opinion as to fault, responsibility or liability, nor any of the facts of the incident without prior consultation with either the Risk Management Division or the City Attorney's office, except when questioned by the employee's supervisor or by the investigating law enforcement officer.
 - f. To ensure the integrity of the investigation, the employee **shall not** participate in any direct contact with any individuals or witnesses involved in the accident or incident for any reason other than as required above. Any inquiries shall be referred to the Risk Management division. (Exceptions: Bargaining Units may have provisions in their Memoranda of Understanding that permit employee contact for purposes of accident investigation. Employees who may be disciplined as a result of the investigation may request representation by a bargaining unit representative when asked to prepare a report of an accident.)
2. Department Employee Assigned to Investigate Incidents or Accidents

- a. The primary duty of the department employee investigating the incident or accident is to preserve all evidence, including the production of photographs of the scene. Supervisors/managers responsible for conducting an investigation shall take "4 Point" photographs of the involved vehicles, including all points of impact to each vehicle even if no damage is reported. (See attached "4 Point" photograph example)

An investigating employee **shall not** express any opinion to any third party (i.e, a non-employee or other party) regarding fault or liability. All inquiries regarding claims procedures shall be directed to Risk Management.

3. Theft or Damage to City Property

- a. The employee **shall** immediately contact the appropriate law enforcement agency and identify themselves as a City of Fresno employee when property loss or damage to City property is caused by theft or vandalism.
 - b. After contact with the appropriate law enforcement agency, the employee **shall** report any property loss or damage to their supervisor or in accordance with their specific department policy, who must notify the Risk Management division in the Personnel Services Department. The employee shall complete the Automobile Accident or Loss Notice form along with any additional pertinent information, which shall be provided to the Risk Management division by the employee or supervisor in accordance with department policy.
 - c. Upon receipt of the loss notice, Risk Management will conduct an investigation and will determine if the Property Fund will provide coverage.
 - d. Property loss or damage determined to have been caused by the employee's misconduct or negligence may result in discipline up to and including termination.
4. **Please see AO 2-5 for detailed Property Loss Procedures.**

Example: “4 Point” Photograph referenced in 2.a.

