



# TRAFFIC LAW ENFORCEMENT SUBJECTS

COURSE CONTENT INFORMATION

LESSON PLAN OUTLINES



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STATE OF MICHIGAN  
DEPARTMENT OF STATE POLICE  
**LAW ENFORCEMENT OFFICERS  
TRAINING COUNCIL**

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TRAFFIC LAW ENFORCEMENT

LESSON PLANS

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A Report to  
The  
Michigan Law Enforcement Officers Training Council  
In Accordance with  
Grant No. 177 from  
U. S. Department of Justice  
Office of Law Enforcement Assistance  
Washington, D. C.

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by

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Project Consultant

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TRAFFIC LAW ENFORCEMENT

- I. State of Michigan - Motor Vehicle Laws.<sup>1</sup>
- A. State traffic laws concerning driver's license.
1. The law states that no person shall drive any motor vehicle upon a street or highway in this state unless he is first licensed as an operator or chauffeur, or is authorized by a specific permit duly issued by the Michigan Department of State. All first Michigan Driver's License Fees are \$5.00
  2. Driving license, holding one license only (approved 4-21-67, immediate effect).
    - a. No person, except those hereinafter expressly exempted, shall drive any motor vehicle upon a highway in this state, unless such person, upon application, has been licensed as an operator or chauffeur by the Department under the provision of the chapter. No person shall be permitted to have more than one valid operator's license at any time.
    - b. No person shall drive a motor vehicle as a chauffeur unless he holds a valid chauffeur's license. No person shall receive a chauffeur's license until he surrenders to the Department any valid operator's or chauffeur's license furnished to him by any state or an affidavit that he does not possess any such valid operator's or chauffeur's license.
    - c. Any person holding a valid chauffeur's license need not procure an operator's license.
  3. Driving license, application, false statements (approved 6-2-67).
    - a. It is unlawful for any person:
      - 1) To display or cause or permit to be displayed or to have in possession any operator's license or chauffeur's license, knowing the same to be fictitious or to have been cancelled, revoked, suspended, or altered.

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<sup>1</sup>The information contained in this section, for the most part, has been taken verbatim from the Michigan Vehicle Code, 1966. Reference should be made to this document, should additional information be desired.

- 2) To lend to or knowingly permit use of, by one not entitled thereto, any operator's or chauffeur's license issued to the person so lending or permitting the use thereof.
  - 3) To display or to represent as one's own any operator's or chauffeur's license not issued to the person so displaying the same.
  - 4) To fail or refuse to surrender to the department upon demand, any operator's or chauffeur's license which has been suspended, cancelled, or revoked as provided by law.
  - 5) To use a false or fictitious name or give a false or fictitious address in any application for an operator's or chauffeur's license, or any renewal or duplicate thereof, or knowingly to make a false statement or knowingly to conceal a material fact or otherwise commit a fraud in any application.
- b. Any license for any operator or chauffeur issued under the provisions of this chapter upon an application which is untrue, or which contains any false statements as to any material matters, shall be absolutely void from the date of issuance, and said operator or chauffeur shall be deemed unlicensed and said license so issued shall be at once taken upon request or order of the department.
- c. The department may suspend the license of any operator or chauffeur upon conviction of a violation of one of the prohibited practices related to driver's licenses described above, for not more than one year.
4. Driver license fees, increase, disposition (approved 8-15-67, eff. 9-1-67). The amendment raises the fee for original driving licenses to \$5.50, operator's license renewal to \$4.00 and chauffeur's license renewal to \$3.50. The refund by the state to political subdivisions having examination stations has also been increased.
  5. Types and requirements for driver's license.
    - a. Operator's - issued for three years, minimum age, 16 year. Renewal - \$3.50.

- 1) Requires signature of father, mother, or guardian of an applicant under 18 years of age, or, if applicant has no father, mother or guardian, another responsible adult may sign.
  - 2) Must complete course in driver education if under 18 years of age, unless he has had a valid license in another state for one year.
- b. Chauffeur - license expired now on the licensee's birthday. This amendment was approved 6-21-67, effective 1-1-68. Minimum age, 18. Renewal - \$3.00.
- 1) All school bus drivers, and their substitutes, must be at least 21 years of age, have a chauffeur's license and subject to a physical examination annually. The driver of a public passenger carrying vehicle must be 21 years of age and have a chauffeur's license.
  - 2) The statute defines a chauffeur as: every person who is employed for the principal purpose of operating a motor vehicle and every person who drives a motor vehicle while in use as a public or common carrier of persons or property. A person shall be deemed to be employed for the principal purpose of operating a motor vehicle when such employment customarily involves the necessary use of a motor vehicle for hire or transporting for gain or hire any merchandise for display, sale or delivery; provided that a farmer or an employee of such farmers operating a vehicle exclusively in connection with the farming operations of such farmer shall not be deemed a chauffeur.
- c. Special restricted - issued for one year, minimum age, 15.
- 1) A special restricted operator's license may be issued to drive a motor-driven cycle developing not more than 5 maximum brake horsepower.

2) No person shall operate any motor-driven cycle on the highway during the night hours, unless the cycle is equipped with lights meeting the requirements and limitations set forth in State Law, the person has received written approval from the Chief of Police of the City, Township, or County in which he resides, and the cycle is operated at speeds not to exceed 35 MPH, or as fixed by local ordinances, whichever is lesser.

d. Minor's restricted license - issued for one year.  
Renewal, \$2.50

1) A minor's restricted license may be issued at age 14 or 15, upon showing of extenuating circumstances and need. The parent or guardian must sign application.

2) A letter of authorization must be obtained from the Department of State before an application can be made.

e. Driving license - exchange of information between states (approved 7-10-67).

1) The amendment provides for the receipt of the driving record of a license applicant from another state and the incorporation of that record into this state's record of the applicant's driving experience. Provision is also made for forwarding the record of a Michigan driver to another requesting state.

2) Other changes eliminate the thumb print from the chauffeur's license, allow the licensee to place blood type information on the reverse side of his license, and require anyone wishing to modify the state uniform traffic citation to first obtain permission from the statutory committee having the responsibility for implementation of Act 235 of the Public Acts of 1966.

6. When one's driver's license must be suspended.

a. Upon conviction of driving while under the influence of liquor, drugs, or permitting an intoxicated person to drive.

- b. By making untrue statements in getting the driver's license.
  - c. Upon conviction for failing to stop and identify oneself when involved in an accident in which someone is injured or killed.
  - d. Upon conviction for manslaughter, negligent homicide, or any felony in which a motor vehicle is used.
  - e. Upon conviction or forfeiture of bail on three charges of reckless driving within a period of 12 months.
  - f. Upon failure to pay a judgment rendered in civil court for personal or property damage resulting from a motor vehicle accident.
  - g. Upon failure to report to the Secretary of State an accident involving personal injury, death, or property damage in excess of \$200.00, or if one owns or operates a motor vehicle that is involved in such an accident in which he is not covered by public liability and property damage insurance and is not able to post a security deposit up to \$25,000.00 or file a settlement affidavit.
    - 1) In addition to losing his license, one may also be fined or sent to jail, and one must file proof of financial responsibility for a period of three years.
    - 2) Six (6) points must be added to the driving record, in addition.
7. Michigan traffic violation point system.
- a. Each conviction for a moving traffic violation is recorded in the control file maintained by the Division of Driver and Vehicle Service.
  - b. When an abstract or conviction is filed and the record shows that the driver has accumulated 12 or more points for moving violations within two years, counting back from date of last conviction, the record is removed and the driver is cited to appear before a member of the Department for re-examination.

- c. The re-examination may result in the suspension or revocation of the driver's license.
- d. Points charged are as follows:
  - 1) Manslaughter, negligent homicide, or other felony resulting from operation of a motor vehicle - 6 points.
  - 2) Operating a motor vehicle while under influence of intoxicating liquor - 6 points.
  - 3) Failing to stop and disclose identity at the scene of the accident when required by law - 6 points.
  - 4) Reckless driving - 6 points.
  - 5) Exceeding the lawful speed limit by more than 15 MPH - 4 points.
  - 6) Exceeding the lawful speed limit by more than 10 MPH - 3 points.
  - 7) Exceeding the lawful speed limit by 10 MPH or less - 2 points.
  - 8) Disobeying a traffic signal, stop sign, or improper passing - 3 points.
  - 9) All other moving violations - 2 points.

8. Accidents.

a. Driver's responsibility.

- 1) Report to police if damage is \$200.00 or more, anyone is injured, or a car is disabled.
- 2) Shall stop and render to any person injured reasonable assistance in securing medical aid or transportation of injured.
- 3) Give name, address, and registration number of vehicle he is driving, also name and address of owner, and exhibit his operator's or chauffeur's license to the person struck or the driver or occupant of any vehicle collided with.

- 4) When there is no insurance on vehicle a financial responsibility form must be submitted to Secretary of State.
- b. Accident reports, retention, completion, etc. (approved 3-9-67, immediate effect).
- 1) The driver of any vehicle involved in an accident resulting only in damage to fixtures legally upon or adjacent to a highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such accident, and of his name and address and of the registration number of the vehicle he is driving, and shall upon request exhibit his operator's or chauffeur's license and, if such owner cannot be found, shall forthwith report such accident to the nearest or most convenient police officer.
  - 2) The officer receiving such report, or his commanding officer, shall forward each individual report to the Director of State Police on forms prescribed by him, which shall be completed in full by the investigating officer. The Director of State Police shall analyze each report relative to the cause of the reported accident and shall prepare for public use the information compiled from the reports.

Sec. 622 provides that the driver of every motor vehicle involved in an accident resulting in injury or death of any person, or total damage to all property to an apparent extent of \$200 or more, shall forthwith report such accident to the nearest or most convenient police station or police officer. The officer receiving such report, or his commanding officer, shall forthwith forward each individual report to the Director of State Police, on forms prescribed by him, which shall be completed in full by the investigating officer. The Director of State Police shall analyze each report relative to the cause of the reported accident and shall prepare for public use the information compiled from the reports. A copy of the report required under sections 621 and 622 of this act shall then

be retained for at least three years at the local police or sheriff's department or local state police post making the report.

- c. Collision with other vehicle - duty of driver, public or private property (approved 6-21-67). Sec. 620 states that the driver of any vehicle which collides upon either public or private property with any vehicle which is attended or unattended shall immediately stop and shall then and there either locate or notify the operator or owner of such vehicle of the name and address of the driver and owner of the vehicle striking same, or if such owner cannot be located, shall forthwith report it to the nearest or most convenient police officer.
  - d. Police vehicle accidents, officer's personal insurance (approved 8-1-67). The amendment to Section 3020 involves vehicle insurance cancellation in general, and is of little significance to law enforcement. New Section 3262 does affect peace officers, and reads as follows: No insurer shall cancel, or refuse to renew a policy or insurance of any peace officer on his private automobile, due to accident rate statistics compiled by the peace officer while driving police automobile in the pursuit of his duties as a peace officer.
9. Offenses for which arrests can be made.
- a. Felonious driving. The elements of felonious driving are:
    - 1) Driving a vehicle.
    - 2) On highway.
    - 3) Willful and wanton disregard for the rights or safety of others.
    - 4) At a speed or in a manner to endanger or be likely to endanger any person or property.
    - 5) Injuring so as to cripple, but not causing death.

- b. Negligent homicide. The elements of negligent homicide are:
- 1) Driving a vehicle.
  - 2) On highway or other property (public or private).
  - 3) Immoderate rate of speed.
  - 4) Careless or negligent manner.
  - 5) But not willfully or wantonly.
  - 6) Causing death of another.
- c. Involuntary manslaughter. The element of involuntary manslaughter are:
- 1) Driving a vehicle.
  - 2) On highway or other property (public or private).
  - 3) Immoderate rate of speed.
  - 4) Careless or negligent manner.
  - 5) Willful and wanton disregard of the rights or safety of others.
  - 6) Causing death of another.
- d. Driving while under the influence of intoxicating liquor or narcotic drugs. The elements of DUIL or DUND are:
- 1) Driving a vehicle.
  - 2) Upon a highway or any other place open to general public, including any area designated for parking of motor vehicles.
  - 3) Under influence of intoxicating liquor or narcotic drugs.

e. Reckless driving. The elements of reckless driving are:

- 1) Driving a vehicle.
- 2) On a highway or a frozen public lake, stream, or pond, or other place open to the general public, including any area designated for the parking of motor vehicles.
- 3) In willful or wanton disregard for the safety of persons or property.

f. No operator's license. The elements of the charge of no operator's license are:

- 1) Driving a vehicle.
- 2) On a highway.
- 3) Not having in one's immediate possession a valid operator's license or chauffeur's license, unless released at the officer's discretion.

10. Driving while license revoked - increased penalty, confiscation of registration plates (approved 6-20-70).

a. Section 904 provides that any person whose operator's or chauffeur's license or registration certificate has been suspended or revoked or whose application for license has been denied, as provided in this act, or who has never applied for a license, and who shall drive any motor vehicle upon the highways of this state or who shall knowingly permit any motor vehicle owned by such person to be operated by another upon any highway, except as permitted under this act, while such license or registration certificate is suspended or revoked, or whose application for license has been denied as provided in this act shall be guilty of a misdemeanor, and upon conviction shall be punished by imprisonment in the county or municipal jail or Detroit House of Correction, for a period not less than three days nor more than 90 days, and there may be imposed in addition thereto a fine of not more than \$100. Unless the vehicle was stolen or used with the permission of one who did not knowingly permit an unlicensed driver to operate the vehicle, the registration plates of the vehicle shall be confiscated.

- b. Any person convicted of a second or subsequent violation of this section shall be guilty of a misdemeanor, and upon conviction thereof will be punished by imprisonment in the county or municipal jail or in the Detroit House of Correction for not less than five days nor more than one year, and there may be imposed in addition a fine of not more than \$500. Unless the vehicle was stolen, the registration plates of the vehicle shall be confiscated.
  - c. The department, upon receiving a record of the conviction of any person upon a charge of unlawful operation of a motor vehicle while the license of such person is suspended, revoked, or denied, or of the conviction of any person for a violation of the motor vehicle laws of this state while the license of such person is suspended, revoked, or denied, shall immediately extend the period of such first suspension or revocation for an additional like period, or if no period has been determined, then for at least 30 days but not more than one year.
  - d. Before the plea of the person accused of violating this section shall be accepted, the arresting officer shall check with the department to determine the record and status of the person according to department files, and shall so inform the court.
11. Vehicle equipment - outside rear view mirror required (approved 6-21-67, effective 1-1-68). Section 708 provides that no person shall drive a motor vehicle on a highway, if that motor vehicle is so constructed or loaded as to prevent the driver from obtaining a view of the highway to the rear by looking backward from the driver's position, unless the vehicle is equipped with a mirror located to reflect to the driver a view of the highway to the rear of such vehicle. In addition, all motor vehicles shall be well equipped with an outside rear view mirror on the driver's side, which shall be positioned to give the driver a rear-viewing angle from the driver's side of the vehicle. Every commercial vehicle of one-half ton capacity or more operating upon the public highways of this state shall be equipped with two mirrors, one on each side, adjusted so that the operator shall have a clear view of the highway behind his commercial vehicle.

12. Implement of husbandry - agricultural operation redefined (approved 6-21-67). Section 21 provides that an "implement of husbandry" means every vehicle which is designed for agricultural purposes and used exclusively in agricultural operations. The transportation of seeds, fertilizers, or sprays between a place of storage or supply and farms in a trailer is an agricultural operation when those materials will be used to plant, fertilize or spray.
13. Stop at railroad crossings, highways, freeways, and other crossings.
  - a. Section 669 states that the driver of any passenger-carrying motor vehicle for hire, or of any school bus, or of any vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop such vehicle within 50 feet but not less than ten feet from the nearest rail of the railroad, and while so stopped shall listen and look in both directions along the track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he can do so safely. After stopping as required herein, and upon proceeding when it is safe to do so, the driver shall cross only in a gear which will not need to be changed while traversing the crossing; he shall not shift gears while crossing the track or tracks.
  - b. No stop need be made at any crossing where a police officer or a traffic control signal directs traffic to proceed.
  - c. No stop shall be made at any crossing on a freeway or limited access highway where the crossing is protected by a clearly visible signal, crossing gate, or barrier, if the signal, crossing gate, or barrier is not activated.
14. Use of tire studs during winter months permitted (approved 6-27-67).
  - a. Section 710 states that no vehicle or special mobile equipment shall be operated on the public highways of this state on metal or plastic track or on tires which are equipped with metal or plastic which comes in contact or partial contact with the surface of the road, except as provided in subsections "c" and "d."

- b. No tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat, or spike, or any protuberances of any material other than rubber, which projects beyond the tread of the traction surface of the tire, except that it shall be permissible to use farm machinery with tires which have protuberances which will not injure the highways, and to use tire chains of reasonable proportions upon any vehicle, when required for safety because of snow, ice or other conditions tending to cause a vehicle to skid, and except as also as provided in subsections "c" and "d."
  - c. A pneumatic tire may have embedded in it wire not to exceed .075 inches in diameter, if it is so constructed that under no conditions shall the percent of metal in contact with the highway exceed five percent of the total tire area contact with the roadway, except that during the first 1,000 miles of use or operation of any such tire, the metal in contact with the highway shall not exceed 20 percent of such area.
  - d. Pneumatic tires may have inserted in them ice grips or tire studs of wear-resisting plastic or metal material, installed in such a manner as to provide resiliency upon contact with the road, with projections not to exceed 3/32 of an inch beyond the tread of the traction surface of the tire, and constructed to prevent any appreciable damage to the road surface. Pneumatic tires so equipped may be used on motor vehicles between November 1 of each year and May 1 of the following year. Copies of this subsection shall be posted in all places at which tires are sold.
  - e. A printed or written warning on the time limitation for the use of such studded tires shall be furnished each buyer, purchaser, or user by the seller of such studded tires.
15. Driving while intoxicated - implied consent to chemical test (approved 7-19-67).
- a. Section 625a provides that in any criminal prosecution for driving a vehicle while under the influence of intoxicating liquor, the amount of alcohol in such person's blood at the time alleged, as shown by

chemical analysis of the person's blood, urine, breath, or saliva, shall be admissible into evidence and shall give rise to the following presumptions, and in the event any such tests are given, the results of such tests shall be made available to the person so charged or to his attorney upon written request to the prosecution, with a copy of the request filed with the court. The prosecution shall furnish the report at least two days prior to the date of the trial, and it shall be offered as evidence by the prosecution in a criminal proceeding; failure to fully comply with such request shall bar the admission of the results into evidence by the prosecution:

- 1) If there was at that time 0.05% or less by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was not under the influence of intoxicating liquor.
  - 2) If there was at that time in excess of 0.05% but less than 0.10% by weight of alcohol in the defendant's blood, such fact shall not give rise to any presumption that the defendant was or was not under the influence of intoxicating liquor, but such fact may be considered with other competent evidence in determining the guilt or innocence of the defendant.
  - 3) If there was at the time 0.10% or more by weight of alcohol in the defendant's blood, it shall be presumed that the defendant's ability to operate a motor vehicle was impaired within the provisions of section 625 (2) of this act, due to the consumption of intoxicating liquor.
  - 4) If there was at that time 0.15% or more by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was under the influence of intoxicating liquor.
- b. Samples and specimens of urine, breath, and saliva, shall be taken and collected in a reasonable manner, but only a duly licensed physician, or a licensed nurse or medical technician under the direction of a licensed physician duly qualified to withdraw blood, acting in a medical environment at the request

of a police officer, can withdraw blood for the purpose of determining the alcoholic content therein under the provisions of this act. No liability for a crime or civil damages predicated on the act of withdrawing blood and/or related procedures attaches to a qualified person who withdraws blood or assists in the withdrawal in accordance with this act, unless the withdrawal is performed in a negligent manner.

- c. A person charged with driving a vehicle while under the influence of intoxicating liquor who takes a chemical test administered at the request of a police officer as provided in paragraphs "a" and "b" hereof, shall be informed that he will be given a reasonable opportunity to have a person of his own choosing administer one of the chemical tests as provided in this section within a reasonable time after his detention, and the results of such test shall be admissible and shall be considered with other competent evidence in determining the innocence or guilt of the defendant. Any person charged with driving a vehicle while under the influence of intoxicating liquor shall be informed that he has the right to demand that one of the tests provided for in paragraph "a" shall be given him, and the results of such test shall be admissible and shall be considered with other competent evidence in determining the innocence or guilt of the defendant.
- d. The person so charged shall be advised that his refusal to take a test as herein provided shall result in the suspension or revocation of his operator's or chauffeur's license or his operating privilege.
- e. The provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question of whether or not the defendant was under the influence of intoxicating liquor.
- f. Notwithstanding any other provision of this act, a person requested to take this test shall be advised that he has the option to demand that only a breath test shall be given, in which case his refusal to submit to any other test shall not constitute a refusal for the purposes of sections 625d and 625f.

- g. Section 625c states that a person who operated a vehicle upon the public highway of this state is deemed to have given consent to chemical tests of his blood, breath, urine, or other bodily substances for the purpose of determining the alcoholic content of his blood if:
- 1) He is arrested for driving a vehicle while under the influence of intoxicating liquor, or while his ability is impaired to operate a motor vehicle due to consumption of intoxicating liquor.
  - 2) Any person who is afflicted with hemophilia, diabetes, or any condition requiring the use of an anticoagulant under the direction of a physician shall not be deemed to have given consent to the withdrawal of blood.
  - 3) The tests shall be administered at the request of a law enforcement officer having reasonable grounds to believe the person was driving a vehicle upon the public highways of this state while under the influence of intoxicating liquor.
- h. Section 625d states that a person under arrest shall be advised of his right to refuse to submit to chemical tests, and if he refuses the request of a law enforcement officer to submit to chemical tests, no test shall be given. A sworn report shall be forwarded to the department by the law enforcement officer stating that he had reasonable grounds to believe that the person had been driving a motor vehicle on the public highways of the state while under the influence of intoxicating liquor, or that he had been driving a vehicle while his ability to operate a vehicle had been impaired due to the consumption of intoxicating liquor, and that the person had refused to submit to the test upon the request of the law enforcement officer and had been advised of the consequences of such refusal.
- i. Section 625e states that upon receipt of such sworn statements the department shall immediately notify the person in writing, mailed to his last

known address, that such sworn statement has been received and that within 14 days of the date of the notice he may request a hearing as provided in section 322.

- j. Section 625f states that if the person does not request a hearing within 14 days of the date of such notice, the Secretary of State shall suspend or revoke such person's operator's or chauffeur's license or permit to drive, or any non-resident operating privilege, for a period of not less than 90 days nor more than two years. If the person is a resident without a license or permit to operate a vehicle in this state, the Secretary of State shall deny to that person the issuance of a license or permit for a period of not less than three months nor more than two years.

- 1) If a hearing is requested, the department shall hold such hearing within ten days of receipt of such request in the same manner and under the same conditions as provided in section 322. Such hearings shall cover only the following issues:
  - a) Whether the law enforcement officer had reasonable grounds to believe that the person had been driving a motor vehicle upon the highways of this state while under the influence of an intoxicating liquor, or while his ability to operate a vehicle had been impaired due to consumption of intoxicating liquor.
  - b) Whether the person was placed under arrest for driving a motor vehicle upon the highways of this state while under the influence of an intoxicating liquor or while his ability to operate a vehicle had been impaired due to the consumption of intoxicating liquor.
  - c) Whether the person reasonably refused to submit to the test upon the request of the officer.
  - d) Whether the person was advised of his rights as set forth in sections 625a, 625c, and 625d.

- 2) After the hearing, the Secretary may suspend, revoke, or deny issuance of a license or driving permit or any nonresident operating privilege of the person involved for a period of not less than 90 days nor more than two years. If the person involved is a resident without a license or permit to operate a motor vehicle in this state, the Secretary may deny to that person the issuance of a license or permit for a period of not less than three months nor more than 24 months. The person involved may file a petition in the appropriate circuit court to review the suspension, revocation or denial in the same manner and under the same conditions as provided in Section 323.
  - 3) When it has been finally determined that a non-resident's privilege to operate a vehicle in this state has been suspended or revoked, the department shall give notice in writing of this action to the motor vehicle administrator of the state in which he has his residence and of any state in which he has a license to operate a motor vehicle.
16. Uninsured motorist's fund - clarification and penalties (approved 7-20-67). Numerous minor and technical changes in the Accident Claims Fund Act have been made. Some of the more significant are:
- a. The state, political subdivisions of the state, municipal corporations, and corporations owned by the state or any political subdivision thereof are not now included within the meaning of the term "person" for the purpose of the act.
  - b. An owner allowing someone to drive an uninsured motor vehicle, or driving the vehicle himself, is guilty of a misdemeanor, and may have his vehicle registration revoked until such time as he pays the uninsured motorist fee, as demanded by the Secretary of State.
  - c. An owner requested by a peace officer to produce his evidence of insurance now has 72 hours in which to do so.

- d. One who is convicted of failing or being unable to produce proof of insurance, etc. will now have his license plates and registration forwarded by the court to the Department of State.
17. Motor vehicles - parking, weight restrictions, turns, etc. (approved 7-20-67).
- a. Section 67a states that "tandem axle assembly" means two axles spaced more than three feet, six inches apart and less than nine feet apart, one axle in front of the other and so attached to the vehicle that an attempt is made by a connecting mechanism to distribute the weight equally between the two axles.
  - b. Section 644 states that whenever any highway has been divided into two roadways by leaving an intervening space, or by a physical barrier or clearly indicated dividing section so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the right-hand roadway, and no vehicle shall park or be driven over, across or within any such dividing space, barrier or section, except through an opening in such physical barrier or dividing section or space or at a cross-over section or intersection established by public authority. Cross-overs on limited access highways shall not be used except by such vehicles as provided in section 603, and by road service vehicles while going to or returning from servicing a disabled vehicle and by those otherwise permitted by authorized signs. "Road service vehicles" means vehicles clearly marked and readily recognizable as a vehicle used to assist disabled vehicles.
  - c. Section 647 states that the driver of a vehicle intending to turn at an intersection shall do so as follows:
    - 1) Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.
    - 2) Approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line, in such a manner as

not to interfere with the progress of any streetcar. After entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered.

- 3) Approach for a left turn from a two-way roadway into a one-way roadway shall be made in that portion of the right half of the roadway nearest the center line thereof and clear of any existing car tracks in use, bypassing to the right of such center line where it enters the intersection. Approach for a left turn from a one-way roadway into a two-way roadway shall be made as close as practicable to the left curb or edge roadway and by passing to the right of the center line of the roadway being entered.
  - 4) Where both streets or roadways are one-way, both the approach for a left turn and a left turn shall be made as close as practicable to the left-hand curb or edge of the roadway.
  - 5) Local authorities in their respective jurisdictions may cause pavement markers, signs or signals to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection, and when markers, signs, or signals are so placed, no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, signs or signals.
- d. Section 674a states that no person shall park a vehicle in any area purchased, acquired or used as a clear vision area adjacent to or on a highway right-of-way, nor shall any person conduct vending or other commercial enterprises in a clear vision area.
- e. Section 675.
- 1) Except as otherwise provided in this section, every vehicle stopped or parked upon a highway shall be so stopped or parked with its wheels parallel to the roadway and within 12 inches

of any existing right-hand curb, except as otherwise provided in this chapter.

- 2) Local authorities may by ordinance permit parking of vehicles with the left-hand wheels adjacent to and within 12 inches of the left-hand curb of a one-way roadway.
- 3) Local authorities may by ordinance permit angle parking, but it shall not be permitted on any state trunk line highway.
- 4) The State Highway Commission with respect to state trunk line highways and the county road commission with respect to county roads, acting jointly with the commissioner of the Michigan State Police, may place signs prohibiting or restricting the stopping, standing or parking of vehicles on any highway where, in the opinion of said officials as determined by an engineering survey, such stopping, standing, or parking is dangerous to those using the highway or where the stopping, standing, or parking of vehicles would unduly interfere with the free movement of traffic thereon. Such signs shall be official signs and no person shall stop, stand or park any vehicle in violation of the restrictions stated on such signs. Such signs shall be installed only after a proper traffic code is filed with the county clerk. Upon the application to the State Highway Commission by any home rule city affected by such order, opportunity shall be given to such city for a hearing before the State Highway Commission (pursuant to Act No. 97 of the Public Acts of 1952, as amended, being sections 24.101 to 24.110 of the Compiled Laws of 1948), except when an ordinance of the home rule city prohibits or restricts the parking of vehicles on a state trunk line highway; or when the home rule city by lawfully authorized official action requests the Department of State Highways to prohibit or restrict parking on a state trunk line highway; or when the home rule city enters into a construction agreement with the Department of State Highways providing for the prohibition or restriction of parking on any state trunk

line highway, during or after the period of construction. Traffic control orders, so long as they affect parking upon a state trunk line within the corporate limits of a home rule city, are deemed "rules" within the meaning of Act 197 of the Public Acts of 1952, as amended, and upon application for hearing by a home rule city the proceedings before the state highway commission shall be considered a "contested case" within the meaning of such act.

- 5) Any veteran who has been honorably discharged from any of the armed services of the United States and who has a service-connected disability equivalent to the disabilities as prescribed in section one of Public Law 187 of the 82nd Congress, First Session, and any physically handicapped person who possesses material incapacity for ambulation, shall be entitled to receive, and the Secretary of State is authorized to issue under such rules and upon such application as he shall prescribe, a serially numbered certificate of identification for the personal use of the veteran or physically handicapped person. The veteran or physically handicapped person shall be entitled to courtesy in the parking of an automobile so identified which shall relieve him from liability for any violation with such automobile with respect to parking, other than in violation of this act. Any local authority may, by ordinance, prohibit parking on any street or highway for the purpose of creating a fire lane or to provide for the accommodation of heavy traffic during morning and afternoon rush hours, and the privileges extending to veterans and physically handicapped persons hereunder shall not apply on streets or highways where and at the time such parking is so prohibited. Any certificate issued as provided herein shall be displayed prominently upon the automobile while being parked by or under the direction of such veteran or physically handicapped person pursuant to this section. Upon conviction of any offense involving a violation of the special privileges hereby conferred upon holders of such special certificates, a magistrate or judge trying such case shall be

authorized, as a part of any penalty imposed therein, to confiscate the serially numbered certificate herein provided and to return the same to the Secretary of State together with a certified copy of the sentence so imposed. Any person, other than the veteran or physically handicapped person to whom it was issued, who shall use any certificate of identification for the purpose of parking an automobile as permitted by this section shall be guilty of a misdemeanor. As for any applicant for a certificate hereunder, any official finding or rating as to disability within the requirements of this section by the United States Veteran's Administration shall be sufficient evidence of the qualifications of the applicant.

- f. Section 722 states that in no case shall the maximum axle load exceed the number of pounds designated in the following provisions which prescribe the distance between axles:
- 1) When the axle spacing is nine feet or over between axles, the maximum axle load shall not exceed 18,000 pounds for vehicles equipped with high pressure pneumatic or balloon tires.
  - 2) When the axle spacing is less than nine feet between two axles but more than three and one-half feet, the maximum axle load shall not exceed 13,000 pounds for high pressure pneumatic or balloon tires.
  - 3) When two axles are spaced less than three and one-half feet apart the combined weight thereof shall not exceed the maximum weights as specified for a single axle when spaced nine feet or more apart.
  - 4) The foregoing shall be known as the normal loading maximum.
  - 5) When such normal loading is in effect, the State Highway Commission, and local authorities with respect to highways under their jurisdiction, shall have the authority to designate certain highways or sections thereof where bridges and road surfaces are adequate for heavier

loading, which designation may be revised as needed, on which the maximum tandem axle assembly loading shall not exceed 16,000 pounds for any axle of such assembly.

- 6) On any legal combination of vehicles, only one tandem axle assembly shall be permitted on such designated highways at the gross permissible weight of 16,000 pounds for any such axle and another tandem axle assembly, if such a combination of vehicles shall exceed a gross weight of 13,000 pounds for any such axle. When the maximum gross weight of a tractor semi-trailer combination of vehicles with load does not exceed 73,280 pounds, two tandem axle assemblies shall be permitted on such designated highways at a gross permissible weight of 16,000 pounds for any such axles.
- 7) The normal size of tires shall be the rated size as published by the manufacturers and in no case shall the maximum wheel load permissible for any wheel exceed 700 pounds per inch of width of tire.
- 8) During the months of March, April, and May in each year the maximum axle load allowable on concrete pavements, or pavements with a concrete base, shall be reduced by 25 percent from the maximum axle loads as specified heretofore in this chapter, and the maximum axle loads allowable on all other types of roads during those months shall be reduced the 35 percent from the maximum axle loads as herein specified. The maximum wheel load shall not exceed 525 pounds per inch of tire width on concrete and concrete base or 450 pounds per inch of tire width on all other roads during the period the seasonal road restrictions are in effect.
- 9) The State Highway Commission, or county road commission with respect to highways under its jurisdiction, may suspend the restrictions imposed by this section when and where at their discretion conditions of the highways so warrant, and may impose the restricted loading requirements of this section on designated highways at any other time that the conditions of the highway may require.

- 10) For the purpose of enforcement of this act, the gross vehicle weight of a single vehicle and load, or a combination of vehicles and loads, shall be determined by weighing individual axles or groups of axles and the total weight on all the axles shall be the gross vehicle weight.

g. Section 724.

- 1) Any police officer or any duly authorized agent of the State Highway Department or a county road commission having reason to believe that the weight of a vehicle and load is unlawful may require the driver to stop and submit to a weighing of the same, by means of either portable or stationary scales approved and sealed by the State Department of Agriculture as a legal weighing device, and may require that such vehicle be driven to the nearest weighing station of the State Highway Department for the purpose of allowing said officer or agent of the State Highway Department or county road commission to determine whether such conveyance is loaded in conformity to the provisions of this chapter.
- 2) Whenever the officer or agent upon weighing a car and load determines that the weight is unlawful, the officer or agent may require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is shifted or removed as may be necessary to reduce the gross axle load weight of such vehicle to the limit permitted under this chapter. All material so unloaded shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator. Any judge or magistrate imposing a fine and costs under this section which are not paid in full immediately, or for which a bond is not immediately posted in double the amount of such fine and costs, shall order the driver or owner to move the vehicle at his own risk to a place of safekeeping within the jurisdiction of the judge or magistrate; inform the judge or magistrate in writing of the place of safekeeping; and

keep the vehicle there until the fine and costs are paid or sufficient bond furnished, or until the judge or magistrate shall be satisfied that the fine and costs will be paid. The officer or agent who has determined, after weighing a vehicle and load, that the weight is unlawful, may require the driver to proceed to a magistrate within the county. If the magistrate is satisfied that the probable fine and costs will be paid by the owner or lessee, he may allow the driver to proceed after the load has been made legal. If the magistrate is not satisfied that the owner or lessee, after a notice of a right to be heard on the merits is given, will pay the amount of the probable fine and costs, the magistrate may order the vehicle to be impounded until trial on the merits is completed, under conditions set forth in this section for the impounding of such vehicles after the fine and costs have been imposed. Removal of the vehicle, and forwarding, care or preservation of the load shall be under the control of and at the risk of the owner or driver. Vehicles impounded shall be subject to a lien, subject to any prior valid bona fide lien of prior record in the amount of such fine and costs, and if the same are not paid within 90 days of such seizure, the said judge or magistrate shall certify such unpaid judgment to the prosecuting attorney of the county in which the violation occurred, who shall proceed to enforce the lien by foreclosure sale in accordance with procedure authorized in the case of chattle mortgage foreclosures. When such duly authorized agent of the State Highway Department or county road commission is performing his duties under this chapter, he shall have all the powers conferred upon peace officers by the general laws of this state.

- 3) Any owner of any vehicle as defined in this act, or any lessee of the vehicle of an owner-operator, who causes or allows a vehicle to be loaded and driven or moved on any highway, when the weight of that vehicle violates the provisions of section 722, is

guilty of a misdemeanor, and upon conviction thereof shall be assessed a fine in an amount equal to two cents per pound for each pound of excess load when the excess is over 2,000 pounds but not over 3,000 pounds; six cents per pound for each pound of excess load when the excess is over 3,000 pounds but not over 4,000 pounds; eight cents per pound for each pound of excess load when the excess is over 4,000 pounds but not over 5,000 pounds; ten cents per pound for each pound of excess load when the excess is over 5,000 pounds.

- 4) Any driver or owner of any vehicle who knowingly fails to stop at or who knowingly bypasses any scales or weighing station is guilty of a misdemeanor.
- 5) No agent or authorized representative of the State Highway Department or a county road commission shall stop any truck or vehicle in movement upon any road or highway within the state for any purpose, unless the agents or authorized representative are driving a duly marked vehicle, clearly showing and denoting the branch of government they represent.
- 6) Any driver or owner of any vehicle who knowingly fails to stop when requested or ordered to by any police officer, or any duly authorized agent of the State Highway Department, or a representative or agent of a county road commission authorized to require the driver to stop and submit to a weighing of his vehicle and load by means of a portable scale, is guilty of a misdemeanor.

18. Motor cycles, motor driven cycles - safety insurance (approved 7-11-66).

Honda	Tail 55 CA-105T	5	HP
	Super Sport, C-110	5	HP
	50, CA-102	5	HP
Harley-Davidson	M/50	2½	HP
Yamaha	Model 55 (Discont) less	5	HP
	Model 60 (new model) less	5	HP
Suzuki	Suzi, Model M 31	5	HP
	Collegian, Model M 15	5	HP
	Varsity, Model M 15	5	HP

Sears	Allstate Mod-Ped	2	HP
	Allstate Sport "60"	4½	HP
	Allstate Cruisaire	4.6	HP
	Allstate Compact	3.9	HP
Wards	Riverside Sport Bike	4.5	HP
	Riverside Mo-Ped	2	HP
	Riverside Scooter	3	HP
Spiegel	Motobi 48	4½	HP
	Motobi 125 Scooter	4½	HP
	Surf-rider "sportster"	4.2	HP
Jawa	05	3½	HP

- a. Section 251b states that a dealer shall not rent, lease or furnish a motorcycle or motor driven cycle to any person for use on public streets and highways who is not licensed to operate a motor vehicle by the state, if a resident, and by the state of which he is a resident, if a non-resident.
- b. Section 251c states that the dealer shall maintain in safe operating condition all motorcycles and motor driven cycles rented, leased or furnished by him. The dealer, his agents or employees shall explain the operation of the motorcycle or motor driven cycle being rented, leased or furnished and if such dealer, his agent or employee believes the person to whom the motorcycle or motor-driven cycle is to be rented, leased or furnished is not competent to operate such motorcycle or motor driven cycle with competency to himself and to the safety of persons or vehicles on public streets and highways, he shall refuse to rent, lease or furnish the same.
- c. Section 251d states that it shall be unlawful for a person to whom a motorcycle or motor driven cycle is rented, leased, or furnished, to rent, sublease, or otherwise authorize the use of the motorcycle or motor driven cycle on public streets and highways by any person who is not licensed to operate a vehicle in this state.
- d. Section 251e states that any dealer renting, leasing or furnishing any motorcycle or motor driven cycle shall carry a "motor vehicle liability policy" of the same type and coverage as that outlined in section 520 of this act for each motorcycle or motor driven cycle so rented, leased or furnished,

or, as an alternative, demand and be shown proof that the person renting, leasing or being furnished a motorcycle or motor driven cycle carries a motor vehicle liability policy of at least the type and coverage as specified in section 520 of this act.

e. Section 658.

- 1) A person propelling a bicycle or operating a motorcycle or motor driven cycle shall not ride other than upon or astride a permanent and regular seat attached thereto.
- 2) No bicycle or motorcycle shall be used to carry more persons at one time than the number for which it is designed and equipped.
- 3) No motor driven cycle shall be used to carry more than one person at any one time.
- 4) A person operating or riding on a motorcycle or motor driven cycle shall wear a crash helmet approved by the Department of State Police. The Department shall promulgate rules for the implementation of this section in accordance with the provisions of Act No. 88 from the Public Acts of 1943, as amended, being sections 24.71 to 24.80 of the Compiled Laws of 1948, and subject to Act No. 197 of the Public Acts of 1952, as amended, being sections 24.101 to 24.110 of the Compiled Laws of 1948.

f. Section 660.

- 1) Every person operating a bicycle, a motor driven cycle or motorcycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- 2) Persons riding bicycles, motor driven cycles or motorcycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of such vehicles.

- 3) Wherever usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.
- 4) No person operating a motor driven cycle, a motorcycle or a bicycle shall pass between lines of traffic, but may pass on the left of traffic moving in his direction in the case of a two-way street, or on the left or right of traffic in the case of a one-way street, in an unoccupied lane.

g. Section 661 states that no person operating a bicycle, motorcycle, or motor driven cycle shall carry any package, bundle or article which prevents the driver from keeping both hands upon the handle bars of said vehicle.

19. Litter law - accident debris - removal (approved 7-1-66).

Section one states that it is unlawful for any person knowingly, without the consent of the public authority having supervision of public property or the owner of private property, to dump, deposit, place, throw or leave, or cause to permit the dumping, depositing, placing, throwing, leaving of litter on any public or private property or waters other than property designated and set aside for such purposes. The phrase "public or private property or waters" includes, but is not limited to, the right of way of any road or highway, any body of water or watercourse, or the shores or beaches thereof and including the ice above such waters; any park, playground, building refuge or conservation or recreation area; and any residential or farm properties or timberlands. It is unlawful for a person who removes a vehicle, wrecked or damaged in an accident on a highway, road or street, to fail to remove all glass and other injurious substances dropped on the highway, road or street as a result of the accident.

20. Traffic violations - failure to halt vehicle upon command of police (approved 7-11-66, effective 9-1-66). Section 602a states that a driver of a motor vehicle who is given by hand, voice, emergency light or siren a visual or audible signal by a police officer acting in the lawful performance of his duty, directing the driver to bring his vehicle to a stop, and who willfully fails to

obey such direction, by increasing his speed, extinguishing his lights, or otherwise attempting to flee or elude the officer, is guilty of a misdemeanor. The officer giving the signal shall be in uniform, and a vehicle driven at night shall be adequately identified as an official police vehicle.

21. Temporary vehicle and driver check lanes. Department of State Police (approved 7-11066). Section 715.
  - a. Equipment on motor vehicles as required under this act shall be maintained as herein provided, and any uniformed police officer shall be authorized on reasonable grounds shown to stop any motor vehicle to inspect the same, and if any defects in equipment are found to arrest the driver in the manner prescribed in section 727 and to order the driver to have the same repaired forthwith. In case of accident any police officer may make inspection of the cars involved.
  - b. The Director of the Department of State Police shall cause inspection to be made of motor vehicles operating on the public highways to detect defective equipment or other violations of law governing the use of public highways by motor vehicles, operators and chauffeurs. For such purpose he may establish temporary vehicle check lanes at appropriate locations throughout the state for checking such inadequacies and violations. A county, city, village or township police department may also operate such a temporary check lane within its limits with the express authorization of the Director and under the direct supervision of a designated representative of the Director.
22. Vehicle operator - ability impaired voluntarily (approved 7-11-66). Section 625b.
  - a. It is unlawful and punishable as provided in this section for any person to operate a vehicle upon a highway or any other place open to the general public, including any area designated for the parking of motor vehicles, within this state when, due to consumption of intoxicating liquor, narcotic drugs, barbitol or any derivative of barbitol,

he has visibly impaired his ability to operate the vehicle. Where a person is charged with violating section 625, a finding of guilty shall be permissible under this section.

- b. Any person convicted of a violation of this section may be imprisoned in the county jail for not more than 90 days or fined not more than \$100 or both, together with costs of the prosecution. On a second and subsequent conviction under this section or a local ordinance substantially corresponding thereto, he may be imprisoned for not more than one year or fined not to exceed \$1,000 or both. The Division of Driver and Vehicle Services, within ten days after the receipt of a properly prepared abstract, shall record four points for each conviction under this section.

23. Speeding. Speed restrictions; assured clear distance ahead. Section 627.

- a. Any person driving a vehicle on a highway shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the highway and of any other condition then existing, and no person shall drive any vehicle upon a highway at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead.
- b. Business or residence districts; public parks, posted speed limits. Subject to the provisions of paragraph one of this section and except in those instances where a lower speed is specified in this chapter, it shall be prima facie lawful for the driver of a vehicle to drive the same at a speed not exceeding the following, but in any case when such speed would be unsafe it shall not be lawful:
  - 1) 25 miles per hour on all highways in a business or residence district as defined herein.
  - 2) 25 miles per hour in public parks unless a different speed is fixed and duly posted.

- 3) It shall be prima facie unlawful for any person to exceed any of the foregoing speed limitations, except as provided in section 629 of this chapter.
- c. Vehicles with trailers. No passenger vehicle drawing another vehicle or trailer shall exceed a speed of 50 miles per hour, unless the vehicle or trailer is two wheels or less and does not exceed the combined weight of 750 pounds for the trailer and load, or a trailer coach of not more than 25 feet in length with brakes on each wheel and attached to the passenger vehicle with an equalizing or stabilizing coupling unit.
  - d. Trucks and combinations weighing over 5,000 pounds. No truck, tractor with trailer, nor any combination of such vehicles, with a gross weight, loaded or unloaded, in excess of 5,000 pounds, shall exceed a speed of 50 miles per hour, which shall be reduced to 35 miles per hour during the period when reduced loadings are being enforced in accordance with the provisions of this chapter.
  - e. School buses.
    - 1) No school bus shall exceed the speed of 50 miles per hour.
    - 2) Bus drivers when stopping to allow passengers to leave the bus must have flashing stop lights working.
    - 3) All vehicles must stop in both directions, except in cases of expressways divided by a median.
    - 4) Unless a local ordinance is in effect, many cities do not enforce the state laws when school buses are within the city limits.
24. Stop signs. Section 649b. Stop sign, driver's duty.
- a. The driver of a vehicle in obedience to a stop sign shall come to a full stop before entering of crossing the intersection being controlled by the stop sign and shall proceed with caution after

yielding right-of-way to all vehicles in the intersecting street or highway which have entered the intersection or are so close as to constitute an immediate hazard.

- b. A full stop is an important element of proof in the violation. A shifting of gears without a complete stop or slowing down is in violation.
25. Traffic signals. Obedience to traffic-control devices (257.611).
- a. Section 611 states that no driver of a vehicle or motorman of a street car shall disobey the instructions of any traffic control device placed in accordance with the provisions of this chapter unless at the time otherwise directed by a police officer.
  - b. Traffic control signal legend; signals over traveled portion of highway (257.612). Section 612 states that whenever traffic is controlled by traffic control signals, such signals shall be located over the traveled portion of the roadway so as to give drivers a clear indication of the right of way assignment from their normal positions approaching the intersection. Other mounting positions approaching an intersection may be utilized only when a signalized direction is served by one or more traffic control device signals mounted over the traveled portion of the roadway. The vehicle signals shall exhibit different colored lights successively one at a time, or with arrows. The following colors shall be used and said terms and lights shall indicate and apply to drivers of vehicles:
    - c. Green indication - vehicular traffic facing the signal, except when prohibited under section 664, may proceed straight through or turn right or left unless a signal prohibits either such turn. But vehicular traffic including vehicles turning right or left, shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

- d. Steady yellow indication - vehicular traffic facing the signal shall stop before entering the nearest crosswalk at the intersection, but if such stop cannot be made in safety, a vehicle may be driven cautiously through the intersection.
- e. Steady red indication - vehicular traffic facing a steady red signal alone shall stop before entering the crosswalk on the near side of the intersection, or if none then before entering the intersection and shall remain standing until a green indication is shown.
- f. Arrow indications.
  - 1) Green arrow (steady): Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Vehicle traffic shall yield the right of way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.
  - 2) Red arrow (flashing): When a red arrow is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a time limit when marked and shall then be privileged to make the movement indicated if no interference is offered pedestrians or vehicles lawfully on the highway.
- g. If a traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any sign or marking the stop shall be made at the signal.

- h. Same; pedestrians (257.613). Section 613 states that whenever special pedestrian control signals are not utilized, the regular traffic control signals as indicated in section 612 shall apply to pedestrians as follows:
- 1) Green indication. Pedestrians facing such signal may proceed across the roadway within any marked or unmarked crosswalk.
  - 2) Steady yellow indication. Pedestrians facing such signal are advised that there is insufficient time to cross the roadway and any pedestrian then starting to cross shall yield the right of way to all vehicles.
  - 3) Steady red indication. Pedestrians facing such signal shall not enter the highway unless they can do so safely and without interfering with any vehicular traffic.
  - 4) Red with arrow. Pedestrians facing such signal shall not enter the highway unless they can do so safely without interfering with any vehicular traffic.
- i. Whenever special pedestrian control signals are installed they shall be placed at the far end of each crosswalk and shall indicate a "walk" or "wait" interval. These special signals shall apply to pedestrians only to the exclusion of any regular traffic control signals or signals which may be present at the same location.
- 1) Walk interval - pedestrians facing such signal may proceed across the highway in the direction of the signal and shall be given the right of way by the drivers of all vehicles.
  - 2) Wait interval - pedestrians shall not start to cross the highway in the direction of such signals, but any pedestrian who has partially completed his crossing on the walk interval of such signal shall proceed to a sidewalk or safety island while the wait interval of the signal is showing.

- 3) In addition to the foregoing devices authorized for use by this section, the following additional devices may be used, in each case with due regard for the rights and safety of pedestrians: "don't walk"(flashing); "don't walk"(steady burning).
- j. Flashing red or yellow signals (257.614). Section 614 says that whenever flashing red or yellow signals are used they shall require obedience by vehicular traffic as follows:
- 1) Flashing red (stop signal). When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering crosswalk at an intersection or at a limit line when marked, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.
  - 2) Flashing yellow (caution signal). When a yellow lens is illuminated by rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.
- k. Signs or lights resembling traffic control devices; commercial advertising prohibited on traffic signs. (257.615). Section 615 states that except with authority of a statute or of a duly authorized public body or official, no person shall place, maintain, or display along any highway or upon any structure in or over any highway any sign; signal; marking; device; blinking, oscillating or rotating light or lights; decoration, or banner which is or purports to be or is in imitation of or resembles or which can be mistaken for a traffic control device or railroad sign or signal, or which attempts to direct control of movement of traffic, or which hides from view or interferes with the effectiveness of any traffic control device or any railroad sign or signal, and no person shall place or maintain, nor shall any public authority permit upon any highway, any traffic sign or signal bearing thereon any commercial advertising.

1. Emergency vehicles; distinguishing lights; prohibited lights. No person shall place, maintain or display along any highway any blinking, oscillating or rotating light or lights sufficiently similar in color or design that they may be mistaken for the distinguishing lights authorized by law for emergency vehicles or that creates a hazard for the safety of drivers using said highways.
  - m. Prohibited signs; public nuisance; removal. Every such prohibited sign, signal, marking, device, decoration or banner is hereby declared to be a public nuisance and the authority having jurisdiction over the highway is hereby empowered to remove the same or cause to be removed without notice.
  - n. Placement of street decorations and banners; obstruction of traffic lights and signals.
    - 1) Decorations or banners which may be placed over the traveled portion of any street or highway shall be placed not closer than ten feet on either side of traffic lights or signals.
    - 2) They will be placed so as not to obstruct a clear view of traffic lights or signals.
26. Emergency vehicles.
- a. Authorized emergency vehicle (257.2). Section two states that an "authorized emergency vehicle" means vehicles of the fire department, police vehicles, ambulances, emergency vehicles of governmental departments, or such vehicles of public service corporations and privately owned motor vehicles of volunteer and paid firement as are authorized by the commissioner.
  - b. Vehicles in pursuit of criminals, fire patrols, ambulances (257.632). Section 632 states that the speed limitation set forth in this chapter shall not apply to vehicles when operated with due regard for safety under the direction of the police in the chase or apprehension of violators of the law or of persons charged with or suspected

vehicle on the right except as otherwise provided in section 651: Provided, however, where signs bearing the message "yield right-of-way" are erected upon the approach to an intersection, a driver approaching such sign shall slow to a reasonable speed for existing conditions of traffic and visibility, yielding the right-of-way to all traffic on the intersecting street which is so close as to constitute an immediate hazard. The driver of any vehicle traveling at an unlawful speed shall forfeit any right-of-way which he might otherwise have hereunder.

- 2) Stop sign, driver's duty. The driver of a vehicle in obedience to a stop sign shall come to a full stop before entering or crossing the intersection being controlled by the stop sign and shall proceed with caution after yielding right-of-way to all vehicles on the intersecting street or highway which have entered the intersection or are so close as to constitute an immediate hazard.
- c. Same, left turn (257.650). Section 650 states that the driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but said driver, having so yielded and having given a signal when and as required by this chapter, may make such left turn, and the drivers of all other vehicles approaching the intersection from said opposite direction shall yield the right-of-way to the vehicle making the left turn: Provided that at an intersection at which a traffic signal is located, a driver intending to make a left turn shall permit vehicles bound straight through in the opposite direction which are awaiting a go signal to pass through the intersection before making a turn.
  - d. State trunk line highways; intersections; stopping; yielding right-of-way; margin traffic signs (257.651). Section 651 states that except as otherwise provided

- b) Upon the approach of an authorized emergency vehicle, as above stated, the motorman of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the authorized vehicle has passed, except when otherwise directed by a police officer.
  - c) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.
- 2) Section 350d states that any authorized emergency vehicle may be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less than 500 feet, but such siren shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which said latter events the driver of such vehicle shall sound said siren when necessary to warn pedestrians and other drivers of the approach thereof.
27. Failure to yield right-of-way (257.53). Section 53 states that "right-of-way" means the privilege of the immediate use of the highway.
- a. Driver of vehicle; signals for starting, stopping or turning; commercial vehicle equipped with signal lamp or device (257.648). The driver of any vehicle upon a highway before starting, stopping or turning from a direct line shall first see that such movement can be made in safety.
  - b. Right-of-way at intersections; simultaneous entrance; yield right-of-way signs; forfeiture of right-of-way (257.649).
    - 1) Section 649 states that when two vehicles enter an intersection at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the

of any such violation, nor to fire department or fire patrol vehicles when traveling in response to a fire alarm, nor to public or private ambulances when traveling in emergencies. This exemption shall not, however, protect the driver of any such vehicles from the consequences of a reckless disregard for the safety of others.

- c. Any lamps or reflectors on a vehicle other than those expressly required or permitted by the provisions of this chapter shall, if visible from the front, display or reflect a white or amber light; if visible from either side, display an amber light; and if visible from the rear, display or reflect a red light, except as otherwise provided by law. Flashing, oscillating or rotating red lights may be used only as follows: By authorized emergency vehicles as provided by section 603 of this chapter. State, county, or municipal vehicles engaged in snow removal or ice control operations will be equipped with flashing, oscillating or rotating amber lights placed in such a position on the vehicle as to be visible throughout an arc of 360 degrees.
- d. Authorized emergency vehicle; right-of-way yielded by other vehicles (257.653). Section 653.
  - 1) Upon the immediate approach of an authorized emergency vehicle equipped with at least one lighted flashing, rotating, or oscillating lamp exhibiting a red or blue light visible under normal atmospheric condition from a distance of 500 feet to the front of such vehicle and when the driver is giving audible signal by siren, exhaust whistle, or bell:
    - a) The driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to and as close as possible to the right-hand edge or curb in the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

in this section, all vehicles approaching the intersection of a state trunk line highway shall come to a full stop before entering or crossing such highway and shall proceed with caution after yielding right-of-way to all vehicles on the intersecting highway which have entered the intersection or are so close as to constitute an immediate hazard. It shall be the duty of the State Highway Commissioner to erect "stop" or "yield right-of-way" signs at every entrance to a state trunk line highway from intersecting highways or streets. No "stop" or "yield right-of-way" signs need be installed at intersections where approved traffic signals are used to control traffic. Whenever a vehicle approaches the intersection of a state trunk line highway from an intersecting highway or street, which is intended to be, and constructed as, a merging highway or street, and is plainly marked at such intersection with appropriate "merging traffic" signs, such vehicle need not come to a full stop, except to avoid a collision, but shall adjust its speed so as to enable it to merge safely with the trunk line traffic. If the intersecting traffic highway or street, in the opinion of the State Highway Commissioner, is no longer suitable as a merging highway or street, he shall remove the "merging traffic" signs and erect traffic signals, "stop" or "yield right-of-way" signs, whichever he determines to be proper. Where two or more state trunk line highways intersect or cross, the State Highway Commissioner and the Director of the Michigan State Police, acting jointly, shall determine which traffic, if any, shall be given preference, and appropriate traffic signals, "stop" or "yield right-of-way" signs shall be erected.

- e. Entry on highway, stopping, yielding right-of-way (257.652). Section 652 states that the driver of a vehicle about to enter or cross a highway from an alley, private road or driveway shall come to a full stop before entering such highway and shall yield right-of-way to all vehicles approaching on the highway.

## 28. Turns.

## a. Right turns.

- 1) Intersections; position for turning (257.647). Both the approach for a right turn and a right shall be made as close as practicable to the right-hand curb or edge of the roadway.
- 2) Section 257.648 states that the signal herein required shall be given either by means of the hand and arm in the manner herein specified, or by a mechanical or electrical signal device which conveys an intelligible signal or warning to another driver approaching from the rear, except as otherwise provided in paragraph "c." Whenever the signal is given by means of the hand and arm, the driver shall indicate his intention to start, stop or turn by extending the hand and arm horizontally from beyond the left side of the vehicle.

## b. Left turns.

- 1) Section 257.647b states that the approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof in such a manner as not to interfere with the progress of any street car, and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered.
- 2) Section 257.647c states that the approach for a left turn from a two-way street into a one-way street shall be made in that portion of the right half of the roadway nearest the center line thereof and clear of any existing car tracks in use and by passing to the right of such center line where it enters that intersection. A left turn from a one-way street into a two-way street shall be made by passing to the right of the center line of the street being entered upon leaving the intersection.

- 3) Section 257.647d states that where both streets or roadways are one-way both the approach for a left turn and a left turn shall be made as close as practicable for the left-hand curb or edge of the roadway.
- 4) Section 257.647e states that local authorities in their respective jurisdictions may cause pavement markers, signs or signals to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection, and when markers, signs or signals are so placed that no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, signs, or signals.
- 5) Section 257.648b states that the signal herein required shall be given either by means of the hand and arm in the manner herein specified, or by a mechanical or electrical signal device which conveys an intelligible signal or warning to another driver approaching from the rear, except as otherwise provided in paragraph "c." Whenever the signal is given by means of the hand and arm, the driver shall indicate his intention to start, stop or turn by extending the hand and arm horizontally from and beyond the left side of the vehicle.

29. Registration plates. Same; attachment, display.

- a. Section 257.225a states that registration plates issued for a motor vehicle shall be attached thereto, one in the front and the other in the rear and where one plate is issued for a motor vehicle it shall be attached to the rear thereof. The registration plate issued for the other vehicles required to be registered hereunder shall be attached to the rear thereof.
- b. Section 257.225b states that every registration plate shall at all times be securely fastened in a horizontal position to the vehicle for which it is issued so as to prevent the plate from swinging, and at a height of not less than 12 inches from the ground, measuring from the bottom of such plate,

in a place and position to be clearly visible and shall be maintained free from foreign materials and in a condition to be clearly visible.

- c. Section 257.225c states that license plates or the expiration date thereon shall be of a different color designated by the Secretary of State for each year. There shall be at all times a marked contrast between the color of the number plates and the numerals or letters thereon. The Secretary of State may provide such distinctive number plates for commercial vehicles, manufacturers and dealers as he may deem advisable.
- d. Section 257.225d states that it shall be unlawful to attach to any motor vehicle license plate any name plate, insignia or advertising device.

### 30. Lights.

- a. Head lamps for motor vehicles; number, height.
  - 1) Section 257.685a states that every motor vehicle other than a motorcycle or motor driven cycle shall be equipped with at least two head lamps with at least one on each side of the front of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in this chapter.
  - 2) Section 257.685b states that every motorcycle and every motor driven cycle shall be equipped with at least one and not more than two head lamps which shall comply with the requirements and limitations of this chapter.
  - 3) Section 257.685c states that every head lamp upon every motor vehicle, including every motorcycle, shall be located at a height measured from the center of the head lamp of not more than 54 inches nor less than 24 inches above the level surface upon which said vehicle stands.
  - 4) Section 257.685d states that whenever a motor vehicle equipped with head lamps as herein required is also equipped with any auxiliary

lamps or a spot lamp or any other lamp on the front thereof, projecting a beam of an intensity greater than 300 candlepower; not more than a total of four of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway.

b. Spot lamps; auxiliary driving lamps.

- 1) Section 257.696a states that any motor vehicle may be equipped with not to exceed two spot lamps, except that a motorcycle shall not be equipped with more than one spot lamp, and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the beam will be directed into the eyes of the approaching driver. Spot lamps may not emit other than either a white or amber light.
- 2) Section 257.696b states that any motor vehicle may be equipped with not to exceed two auxiliary driving lamps mounted on the front at a height not less than 24 inches above the level surface on which the vehicle stands, and every such auxiliary driving lamp or lamps shall meet the requirements and limitations set forth in this chapter.

c. Permissible additional lights; flashing, oscillating or rotating lights.

- 1) Section 257.698a states that any motor vehicle may be equipped with not more than two side cowl or fender lamps which shall emit an amber or white light without glare.
- 2) Section 257.698b states that any motor vehicle may be equipped with not more than one running-board courtesy lamp on each side thereof which shall emit a white or amber light without glare.
- 3) Section 257.698c states that backing lights of any color may be mounted on the rear of any motor vehicle if the switch controlling such light be so arranged that it may be turned on only when the vehicle is in reverse gear. Such backing lights when

unlighted shall be so covered or otherwise arranged as not to reflect objectionable glare in the eyes of drivers of vehicles approaching from the rear.

- 4) Section 257.698d states that any lamps or reflectors on a vehicle other than those expressly required or permitted by the provisions of this chapter shall, if visible from the front, display or reflect a white or amber light; and if visible from the rear, display oscillating or rotating red lights, which may be used only as follows:
  - a) By authorized emergency vehicles as provided by section 603 of this chapter. State, county or municipal vehicles engaged in snow removal or ice control operations shall be equipped with flashing, oscillating or rotating amber lights placed in such position on the vehicle as to be visible throughout an arc of 360 degrees.
  - b) By public utility service vehicles, ambulances, authorized emergency vehicles, automobile service cars and wreckers engaged in removing or assisting vehicles at the site of traffic accidents, and state, municipal and county vehicles actually engaged in the maintenance or repair of the highway.
  - c) By school buses only when said school bus is stopped on the highway for the purpose of permitting school children to board or alight therefrom.
  - d) By farm tractors only when operated on the highway after dark or when visibility is poor.
- 5) Section 257.698e states that a flashing red light may be mounted and used on any motor vehicle operated by rural letter carriers when actually engaged in delivering mail on their mail routes, but only when brakes are applied.

- d. Multiple-beam road lighting equipment; color, intensity, indicator (257.699) Section 699.
- 1) Except as hereinafter provided, the head lamps, or the auxiliary driving lamps, or combinations thereof, on motor vehicles shall be arranged so that selection may be made between distributions of light projected to different elevations, subject to the following requirements and limitations:
    - a) Head lamps shall in all cases emit a white light; auxiliary lamps may emit either a white or amber light.
    - b) There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least 350 feet ahead for all conditions of loading.
    - c) There shall be a lowermost distribution of light, or composite beam, so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead, and under any condition of loading none of the high-intensity portion of the beam shall be directed to strike the eyes of an approaching driver.
    - d) Every new motor vehicle, except motorcycles and motor driven cycles registered in this state after

the effective date of this act, which has multiple-beam road lighting equipment shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the headlamps is in use and shall not otherwise be lighted. Said indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped.

e. Same; rise, oncoming traffic.

- 1) Section 257.700a states that whenever a motor vehicle is being operated on a highway or shoulder adjacent thereto during the times specified in section 684, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations.
- 2) Section 257.700b states that whenever the driver of a vehicle approaches an oncoming vehicle within 500 feet, such driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver. The lowermost distribution of light, specified in section 699 paragraph "c," shall be deemed to avoid glare at all times regardless of road contour and loading.

## 31. Non-resident procedure.

## a. Arrest without warrant for misdemeanor; notice to appear.

- 1) Section 257.728a states that whenever a person is arrested without a warrant for any violation of this act punishable as a misdemeanor, or of a provision of any ordinance substantially corresponding to any provision of this act, under conditions not referred to in sections 617 and 619 and subdivisions 1, 2, and 3 of section 727, the arresting officer shall prepare in duplicate a written notice to appear in court containing the name and address of such person, the offense charged, and the time when and place where such person shall appear in court. If such arrested person so demands, he shall be taken before a magistrate or probate court as provided in section 727 in lieu of being given such notice.
- 2) Section 257.728b states the time to appear. The time specified in the notice to appear shall be within a reasonable time after such arrest, unless the person arrested shall demand an earlier hearing.
- 3) Section 257.728c states the place of appearance. The place specified in the notice to appear, shall be before a magistrate within the township or county, or probate court of the county in which the offense charged is alleged to have been committed and who has jurisdiction of such offense.
- 4) Section 257.728d requires appearance in person, by representation or mail. When appearance is made by representation or mail, the magistrate may accept the pleas of guilty or not guilty for purposes of arraignment, with the same effect as though the person personally appeared before him. The magistrate, by giving 5 days' notice of the date of appearance, may require appearance in person at the time and place designated in the notice.
- 5) Section 257.728e - Non-residents; guaranteed appearance certificate. When any person not a resident of this state shall be arrested without warrant for any violation of this act under conditions not referred to in section 727, or

of a provision of any ordinance substantially corresponding to any provision of this act, the officer making such arrest shall upon demand of such arrested person forthwith take such person before a magistrate of the vicinity to answer to the complaint made against him. If no magistrate is available or such immediate trial cannot be had, the person so arrested may recognize to such officer for his appearance by leaving with him a guaranteed appearance certificate or a sum of money not to exceed \$25.00.

- a) The officer making such arrest shall give a receipt to the person arrested for the guaranteed appearance certificate or the monies so deposited with him together with a written summons as hereinbefore provided.
  - b) If the offender fails to appear as therein required, such guaranteed appearance certificate or deposit shall be forfeited as in other cases of default in bail in addition to any other penalty provided in this chapter.
  - c) The officer taking a certificate or deposit shall within 48 hours thereafter deliver the same to the magistrate named in the summons together with a report of the facts relating to such arrest; and failure to make such report and deliver such deposit shall be deemed embezzlement of public money.
  - d) Guaranteed appearance certificate means any card or certificate containing a printed statement that a surety company authorized to do business in this state guarantees the appearance of the person whose signature appears on the card or certificate, and that such company will, if such person fails to appear in court at the time of trial, pay any fine or forfeiture imposed on such person in an amount not to exceed \$200.00.
- 6) Section 257.728f - Fees. Notwithstanding any provision of law to the contrary, any officer making an arrest under this chapter without a

warrant, except under paragraphs 1, 2, and 3 of section 727, shall not be entitled to any fees for making such arrest, and the magistrate shall be entitled to a fee of \$2.00 where no trial on the merits takes place in proceedings under sections 223, 225, 228, 311, 315, 672, 673, 674, and 675.

- 7) Section 257.728g states that any officer or magistrate violating any of the provisions of this section shall be guilty of misconduct in office and shall be subject to removal from office.

32. Drag, racing, speed contests - defined, prohibited (approved, 7-1-66).

- a. Section 626a states that it shall be unlawful for any person to operate any vehicle upon any highway, or any other place open to the general public, including any area designated for the parking of motor vehicles, within this state, in a speed or acceleration contest or for the purpose of making a speed record, whether from a standing start or otherwise over a measured or unmeasured distance, or in a drag race as herein defined.
- b. "Drag racing" means the operation of two or more vehicles from a point side by side at accelerating speeds in a competitive attempt to out-distance each other over a common selected course or where timing is involved or where timing devices are used in competitive accelerations of speeds by participating vehicles. Persons rendering assistance in any manner to such competitive use of vehicles shall be equally charged as participants. The operation of two or more vehicles either at speeds in excess of prima facie lawfully established speeds or rapidly accelerating from a common starting point to a speed in excess of such prima facie lawful speed is prima facie evidence of drag racing and is unlawful.

33. Slow moving vehicles, reflectorized warning device (approved 7-1-66). Section 688 states that in addition to other equipment required in this chapter, the following vehicles shall be equipped as herein stated under the conditions stated in section 687 of this chapter.

- a. On every bus or truck, whatever its size, there shall be the following: On the rear, two red reflectors, one on each side, and one red or amber stop light.
- b. On every bus or truck 80 inches or more in overall width, in addition to the requirements in paragraph "a":
  - 1) On the front, two clearance lamps, one at each side.
  - 2) On the rear, two clearance lamps, one at each side.
  - 3) On each side, two side marker lamps, one at or near the front and one at or near the rear.
  - 4) On each side, two reflectors, one at or near the front and one at or near the rear.
- c. On every truck tractor: On the front, two clearance lamps, one at each side; on the rear, one stop light.
- d. On every trailer or semi-trailer having a gross weight in excess of 3,000 pounds:
  - 1) On the front, two clearance lamps, one at each side.
  - 2) On each side, two side marker lamps, one at or near the front and one at or near the rear.
  - 3) On each side, two reflectors, one at or near the front and one at or near the rear.
  - 4) On the rear, two clearance lamps, one at each side, also two reflectors, one at each side, and one stop light.
- e. On every poletrailer:
  - 1) On each side, one side marker lamp and one clearance lamp which may be in combination to show to the front, side or rear.

- 2) On the rear of the poletrailer or load, two reflectors, one on each side.
- f. On every trailer or semi-trailer weighing 3,000 pounds gross or less: On the rear, two reflectors, one on each side. If any trailer or semi-trailer is so loaded or is of such dimensions as to obscure the stop light on the towing vehicle, then such vehicle shall also be equipped with one stop light.
- g. When operated on the highway, every vehicle which has a maximum potential speed of 25 miles per hour, implement of husbandry, farm tractor or special mobile equipment shall be identified with a reflective device as follows:
- 1) An equilateral triangle in shape, at least 16 inches wide at the base and at least 14 inches in height, with a dark red border, at least one and three-fourths inches wide, of highly reflective beaded material.
  - 2) A center triangle, at least 12 1/4 inches on each side, of yellow-orange fluorescent material.
  - 3) The device shall be mounted on the rear of the vehicle, broad base down, not less than three feet nor more than five feet above the ground and as near the center of the vehicle as possible. The use of this reflective device is restricted to use on slow moving vehicles specified in this section, and use of such reflective device on any other type of vehicle or stationary object on the highway is prohibited.
  - 4) On the rear, at each side, red reflectors or reflectorized material visible from all distances within 500 to 50 feet to the rear when directly in front of lawful upper beams or headlamps.
- B. Hit and run accident laws.
1. Traffic laws relative to hit and run investigations; excerpts from Michigan Vehicle Code.

- a. (249) 257.617 Motor vehicle accident on property open to public, personal injury or death, stopping (MAS 9.2317). Section 617 states that the driver of any vehicle who knows or who has reason to believe that he has been involved in an accident upon either public or private property, when such property is open to travel by the public, resulting in injury to or death of any person shall immediately stop such vehicle at the scene of such accident and shall remain thereat until he has fulfilled the requirements of section 619. Every such stop shall be made without obstructing traffic more than is necessary.
- b. Penalty. Any person failing to stop or to comply with said requirements under such circumstances shall upon conviction be punished by imprisonment in the county or municipal jail for not less than 30 days nor more than one year, or in the state prison for not less than one nor more than five years, or by a fine of not less than \$100 nor more than \$5,000 or by both such fine and imprisonment.
- c. Suspension of license. The Secretary of State shall suspend the operator's or chauffeur's license of the person so convicted as provided in section 319 of this Act (amended 1958, Act 35).
- d. (250) 257.618. Same; damage to vehicle, stopping, penalty (MSA 9.2318). Section 618 states that the driver of any vehicle who knows or who has reason to believe that he has been involved in an accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident and shall remain thereat until he has fulfilled the requirements of section 619. Every such stop shall be made without obstructing traffic more than is necessary. Any person failing to stop or comply with said requirements under such circumstances shall be guilty of a misdemeanor (amended 1958, Act 35).
- e. (251) 257.619. Same, giving information and rendition of aid (MSA 9.2319). Section 619 states that the driver of any vehicle who knows or who has reason

to believe that he has been involved in an accident resulting in injury or death of any person or damage to any vehicle which is driven or attended by any person shall give his name, address, and the registration number of the vehicle he is driving, and also the name and address of the owner, and exhibit his operator's or chauffeur's license to the person struck or the driver or occupants of any vehicle collided with, and shall render to any person injured in such accident reasonable assistance in securing medical aid or transportation of injured person or persons (amended 1958, Act 35).

- f. (252) 257,620. Same; unattended vehicle report (MSA 9.2320) approved 6-1-27; effective 11-2-67. Section 620 states that the driver of any vehicle which collides upon either public or private property with any vehicle which is attended or unattended shall immediately stop, shall then and there either locate and notify the operator or owner of such vehicle of the name and address of the driver and owner of the vehicle striking the vehicle, or if such owner cannot be located, shall forthwith report it to the nearest or most convenient police officer.
- g. (243) 257.621. Same; fixtures on or adjacent to highway, report (MSA 9.2321).
  - 1) Section 621 states that the driver of any vehicle involved in an accident resulting only in damage to fixtures legally upon or adjacent to a highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such accident and of his name and address, of the registration number of the vehicle he is driving, and shall upon request exhibit his operator's license or chauffeur's license, and if such owner cannot be found, shall forthwith report such accident to the nearest or most convenient police officer.
  - 2) It shall be the duty of the officer receiving such report to forward the same to the Commissioner of State Police on forms prescribed by him.

- h. (254) 257.622. Same; report (MSA 9.2322). Section 622 states that the driver of every motor vehicle involved in an accident resulting in a vehicle or vehicles becoming so disabled as to be incapable of being propelled in the usual manner, or resulting in personal injury or death of any person shall forthwith report such accident to the nearest or most convenient police station or police officer. The officer receiving such report shall forthwith forward the same to the Director of State Police on forms to be prescribed by him.
  - i. (255) 257.623. Same; report of garagekeeper or repairman (MSA 9.2323). Section 623 states that the person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been involved in an accident or having been struck by any bullet shall report the same to the nearest police station or sheriff's office immediately after such motor vehicle is received, giving the engine number, registration number, and the name and address of the owner, and/or operator of such vehicle.
  - j. (256) 257.624. Same; use of reports (MSA 9.2324).
    - 1) Section 624 states that the reports required by this chapter shall not be available for use in any court action, but it shall be for the purpose of furnishing statistical information as to the number and cause of accidents.
    - 2) Hit and run accident defined. "Hit and run accident" is a traffic accident in which a driver fails to comply with any of the laws regarding stopping, giving aid, and revealing his identity.
2. Types of hit and run accidents - classification.
- a. Death, injury, or striking of an attended vehicle caused by hit and run vehicle.
  - b. Striking object (or unattended vehicle, parked) by hit and run vehicle.

3. Reasons for person leaving scene.
  - a. He may have no valid operator's license.
  - b. He may be drunk and/or have been drinking heavily.
  - c. He may be reacting to fear or panic.
  - d. He may have no insurance.
  
4. Procedures to follow when investigating hit and run accidents.
  - a. Ascertain if accident involves a hit and run driver. It is possible that the driver could have left the scene to call police or go to a hospital.
  - b. Type of hit and run accident (see section 2). If injury, render first aid and call an ambulance. If a serious injury or death, notify Hit and Run Squad and traffic supervisors.
  - c. Hit and run vehicle.
    - 1) If the vehicle has left the scene, obtain, if possible, (1) a description of the vehicle as to year, model, make, color, license number; (2) probable damage to vehicle; (3) a description of the driver (race, clothing, etc.); (4) the number of passengers in the hit and run vehicle.
    - 2) If identification is not possible, give any available information to the radio dispatcher to alert other patrols. Take an accident report.
    - 3) Positive identification is possible in cases where:
      - a) Vehicle was left at the scene by the hit and run driver.
      - b) The driver is recognized or recognizable by witnesses and/or other drivers.
      - c) License number of the hit and run vehicle was obtained by witnesses and/or other drivers.

- 4) The investigator may, under such ideal circumstances, clear the case within a matter of minutes or hours himself.
5. Investigator may eventually have to turn information available over to others to continue the investigation because:
  - a. The violation was out of his jurisdiction.
  - b. He cannot leave his present assignment.
  - c. He might have other more urgent duties, such as an investigation of another accident, etc.
  - d. He may have run out of leads in the case.
  - e. There may be a special squad to handle the hit and run cases for his department.
6. Statements regarding the hit and run accident. In taking the statements, the hit and run investigator should satisfy himself of the following:
  - a. That all statements contain descriptions of vehicles (description of the vehicle is most important, no matter how vague). Description of the driver and passengers should be included, if possible. Include all information, no matter how vague.
  - b. That the statement includes descriptions of witness(es) giving the cause of the accident.
    - 1) The mere fact that a driver does not stop at the scene does not mean that he committed the violation which was the actual cause of the accident.
    - 2) It is possible that one driver could be cited for causing the accident and the other cited or arrested for hit and run.
    - 3) If possible, have a complaint signed by a witness if identification of the driver is possible.
7. Evidence and marking evidence from a hit and run accident.

- a. The best piece of evidence is the hit and run vehicle, if left at the scene or found after the accident. Have any such vehicle towed in and checked for prints (it is possible that the owner will claim that his vehicle was stolen). Have a hold placed on the hit and run vehicle for subsequent investigation. It is important that the vehicle is not released until the case is cleared.
- b. Pieces of the hit and run vehicle left at the scene are valuable evidence. They make it possible to:
  - 1) Establish the make of the hit and run vehicle by parts identification.
  - 2) Establish the color of the hit and run vehicle by parts identification.
  - 3) Identify the hit and run vehicle through a comparison of parts or pieces found at the accident scene against the hit and run vehicle.
  - 4) They should be marked as any other evidence and turned in to the property clerk.
- c. Scientific aids. The proper examination and correct evaluation of physical evidence is a responsibility of the technician or the expert, who by reason of his training and experience is qualified in the particular fields involved.
  - 1) Policemen should know, however, what scientific aids are available.
  - 2) They should be sufficiently familiar with basic principles of the techniques common to scientific examination so that they will know:
    - a) What materials to look for.
    - b) How to preserve the materials.
    - c) How and where to present the materials for examination.
    - d) Where to look for expert aid.

- 3) The Michigan State Crime Laboratory is available twenty-four hours a day to assist in investigations of this nature.
  - 4) The usual immediate objectives of scientific aid in hit and run investigation are:
    - a) To identify a vehicle as having been at the scene of an accident.
    - b) To establish conclusively that a suspected car has been in an accident.
    - c) To corroborate or to disprove statements of persons involved.
  - 5) It is obvious that all materials found at the scene of a hit and run accident are of the utmost importance in the case, and the evaluation of these materials will involve procedures ranging from simple comparisons or tests to very complicated procedures and analyses.
  - 6) Most common materials found at the scene of a hit and run accident will be:
    - a) Glass fragments.
    - b) Paint spots and particles.
    - c) Dirt, dust or other accumulations.
    - d) Bits of fabric or fibers.
    - e) Blood, hair, body tissue, etc.
    - f) Broken parts of the vehicle.
  - 7) All materials found at the scene which cannot be satisfactorily explained as having no bearing upon the investigation at hand should be considered as physical evidence until such time that their importance can be definitely determined.
8. "Follow up" investigation involving hit and run vehicles. The follow up of a hit and run accident should involve the following steps:

- a. Checking hit and run accident report made by the officer at the scene.
- b. Checking out the registration and other available information.
- c. Checking of evidence - canvas of garages, parking lots, etc.
- d. The issuance of any summonses.
- e. The ultimate clearing of the case.

BIBLIOGRAPHY

Michigan Vehicle Code, Department of State Police, 1966.

## ACCIDENT INVESTIGATING, TRAFFIC SIGNALS AND RELATED SUBJECTS

### I. Traffic

#### A. Introduction to the problems associated with traffic.

The traffic problem goes back to the days of the earliest roads and of travel by foot, horse and animal-drawn carts. Early problems consisted of very poor roads, obstacles such as rivers, lakes and mountains and the presence of bandits and other hostile groups. The modern day problem is in moving traffic swiftly and safely, often with the handicap of horse and buggy roads and traffic control systems. Traffic has been defined as "The movement of people and goods from one place to another". This movement has been called "the life blood of commerce and industry".

From a safety standpoint, the traffic problem consists of the fact that almost one-half of all accidental deaths in the United States are caused by motor vehicle accidents. Many thousands of people suffer from injuries each year and untold millions of dollars of property damage result from traffic accidents. Congestion of traffic in our cities and urban areas result in millions of dollars in lost time and in inefficient operation of business.

#### B. The history of traffic.

The history of traffic goes back to the earliest roads which were built soon after the invention of the wheel. Our word "road" comes from the Middle English word "rode" which meant "a mounted journey".

1. Early roads were built in the near east about 3500 B.C. One of these roads or routes stretched from China to Rome and is known as the "old Silk Trade Route". Roads in this early era usually connected small settlements with each other and with larger populated areas.

- a. These early roads were usually little more than paths formed from much usage.
- b. The first road markers were blaze marks on trees or small piles of stones to mark the route.

2. The first great road builders were the Romans. They built over 50,000 miles of roads.
  - a. Roman roads were built in straight lines, over hills, and rivers, instead of following the natural contours of the land as did earlier roads. These roads were designed and built primarily for the fast movement of military units and supplies from Rome to its far-flung territories.
  - b. Some of the Roman roads were so well engineered and built, that they are still in use today.
3. In the Middle Ages, European roads were little more than clearings in the forest.
  - a. Clearings were made wide enough so that bandits could not jump out on travelers from behind trees.
  - b. Roads were, however, not surfaced and in rainy seasons were mud holes.
4. From 1200 A.D. to 1500 A.D., the Inca Indians built a system of first roads connecting their cities in South America. These roads were sometimes hard-surfaced and had causeways across lakes and swamps.
5. Transportation in early America was often by water with roads leading from settlements to the nearest source of water transportation.
  - a. The first extensive hard-surfaced road in America was the Lancaster Turnpike (in Pennsylvania). It was 62 miles long and was surfaced with hand-broken stone and gravel.
  - b. Many early American roads were constructed of logs laid cross-wise of the road and then covered with dirt. These "cordoroy" roads were often extremely rough, but did overcome the problem of being mired with mud.

- c. Extensive building of roads in early America was discouraged in the 1830's by the advent of the railroad. Many people decided that due to its swiftness of movement that the railroad was the ideal way to travel long distances. As a result of this, most road building in the mid-1800's was of a local nature.
- d. Modern American roads date from the construction of the first concrete road in Detroit in 1908.
  - 1) The greatest surge in American road building, prior to the present, was in the 1920's. This was brought on by the greatly increasing use of the automobile.
  - 2) The first traffic signal was installed in Detroit in the early 1920's and the Wayne County Road Commission introduced the white center line during the same period.
  - 3) During the 1930's and the 1940's, road building came to a virtual halt, due to the Depression and World War II.
  - 4) The great increase in the number of vehicles and the resulting greatly-increased congestion on the roads led, during the 1950's, to the demand for better roads. This has led to the present surge in road building. A few Turnpikes and Limited Access Highways were designed and built in the 1930's and these formed the foundation for our present Interstate Highway System.

C. The traffic problem today.

The total traffic problem continues to grow along with the rise in vehicle registrations and the number of licensed drivers.

- 1. The two-car family has created increased demand on our roads that has been further

increased by movements to suburban areas.

2. The development of the Freeway System has made it possible to travel great distances in a short time, but once off these modern roads and on conventional streets, the driver is likely to find himself faced with traffic congestion that has become a normal part of life in many cities.
3. Congestion, caused by inadequate streets and traffic control systems, is a major problem in most large cities, possibly the most important problem facing the community.
4. Americans average over 1,000,000 miles of travel on streets, roads, and highways for every minute of the day.
  - a. One out of every three miles of this travel is on trips within the limits of the city and one trip in three is less than five miles in length.
  - b. An average automobile is now driven in excess of 10,000 miles each year.
5. Congestion could be greatly lessened by:
  - a. Better use of our existing streets;
  - b. The use of modern traffic control devices;
  - c. The use of one-way streets and by the elimination of on-street parking;
  - d. The construction of off-street parking, in commercial areas, for loading and unloading facilities for trucks;
  - e. The scheduling of truck deliveries to less busy times of the day.
6. The effort to improve our highway system, traffic controls and the people who use them can be divided into 8 areas, as follows:
  - a. Legislation - setting up the laws, ordinances and regulations to define

and govern traffic movement, behavior of users and conditions of road use.

- b. Accident records - obtaining, processing and analyzing facts of accidents so that all agencies interested in and responsible for traffic safety and convenience will be better informed.
  - c. Education - teaching drivers and pedestrians how to behave in traffic.
  - d. Enforcement - supervising road users. The police part includes accident investigation, traffic direction, and traffic law enforcement. The traffic courts must adjudicate the charges.
  - e. Engineering - includes automotive design and manufacturing, design and construction of highways, and development and installation of traffic controls or "traffic engineering".
  - f. Motor vehicle administration - controlling and improving drivers through examinations and licenses, controlling vehicles through registration and inspection and maintaining useful driver records.
  - g. Organized public support - getting people working together to support safety and the official agencies and their programs.
  - h. Public information - keeping the public (especially road users) aware of traffic problems and dangers, and of progress being made against them, through all available support groups and public information media.
- D. The role of the police in traffic safety.
- 1. The police came into the picture early in the development of highway traffic, when it was first necessary to enforce the rules of the road.

2. Later, the concept of the "three E's" developed for engineering and education and enforcement. Much of the direct work of traffic engineering and safety education was taken on by the police, since there were no officially constituted agencies to do the job in most communities.
3. The public generally does not understand the limitations of police authority and responsibility, much less the complexity of highway traffic management. It is no wonder that, to the average motorist, the traffic policeman symbolizes the practical aspects of the traffic problem.
4. It is both natural and proper that the police exert leadership in solving traffic problems; but they must take steps to clarify their position in relation to the work of other traffic safety agencies and seek to do the best possible job in their own areas of responsibility.
5. The most common contributions of the police toward the solution of the traffic problem are:
  - a. The supervision and education of the driver by enforcement contacts.
  - b. The gathering of information by accident investigation and compilation of statistics on traffic violations by type of violation, time of day and area. This information is necessary for good legislation and engineering.
6. Accident causes - most accidents result from several causes, direct and indirect. These generally can be related to the driver, the highway, and the motor vehicle.
  - a. The driver - in 1965, more than 3 out of 4, or 77 per cent of the fatal accidents in Michigan, involved one or more drivers who were violating some traffic law when the accident occurred. The most common contributing violations reported include:

- 1) Speed too fast for conditions, or in excess of established limits.
- 2) Failed to yield right of way.
- 3) Drove left of center.
- 4) Disregarded stop sign or signal.
- 5) Drove while under the influence of intoxicating liquor.
- 6) Improper passing.
- 7) Driver shortcomings that are not necessarily violations are:
  - a) Lack of skill.
  - b) Lack of proper knowledge.
  - c) An irresponsible attitude.
  - d) Inattention.
  - e) Fatigue.
  - f) Physical disabilities.
  - g) Failure to compensate for the mistakes of other drivers.

b. The highway - the type, location and design of the highway or street can have a decided effect on the number and severity of accidents. The following statistics indicate the number of fatal accidents per 100 million vehicle miles during 1965.

- 1) Urban----- 3.7
- 2) Rural----- 6.6
  - a) Rural trunk lines excluding the interstate highway system----- 6.8
  - b) The interstate highway system----- 3.4

c) Other rural roads----- 7.0

c. The vehicle - because of difficulties encountered in routine accident investigation and reporting, it is not possible to identify all vehicles defects which contribute to accidents.

- 1) Research studies indicate that vehicle defects may contribute much more to accidents than revealed by general statistics.
- 2) Common vehicle defects reported in accidents in 1965 were:
  - a) Defective brakes.
  - b) Defective lights.
  - c) Defective tires.
  - d) Defective steering.
  - e) Less than 3 per cent of vehicles involved in accidents during 1965 were listed as having defects.

E. General procedures to be followed in directing traffic.

1. The posture and bearing of the officer can affect his success in directing traffic. You should:
  - a. Place yourself where you can see all traffic and pedestrian movement.
  - b. Place yourself where you can be seen by all traffic - vehicular and pedestrian.
  - c. Let people know that you are in command of the traffic situation.
  - d. Stand erect, with a commanding air, maintaining an equal weight on each foot. When not signalling, let both hands hang at your sides.

2. Methods and signals for traffic control.

- a. When you wish to stop traffic movement, you should stand with your sides to the moving traffic, with your body width parallel to the traffic flow.
- b. Stop initial traffic by:
  - 1) Pointing your arm and index finger at the driver you wish to stop;
  - 2) When he sees you, raise your pointing hand so that the palm is toward the driver;
  - 3) Hold this position until he stops.
  - 4) After halting this direction of traffic, turn to the other side and repeat this process.
  - 5) Do not lower either arm until vehicles approaching from both directions have stopped.
- c. Stop one direction of traffic at a time. Since you cannot look both ways at once, you should stop traffic from one side and then the other.
- d. When you wish to start traffic moving, you should:
  - 1) Place yourself so that your side is toward the line of traffic to be started, by making a 90 degree turn from the position used in stopping the traffic lane.
  - 2) Point your arms and finger toward the vehicle you want to start. Hold this position until you get the attention of the driver. Then, with the palm up, swing your hand up and over to your chin. The arm should bend only at the elbow.

- 3) After starting the flow of traffic from one side, repeat this process to start the other side. Repeat the signals for slow or hesitant drivers.
- e. When you wish for drivers to execute turn movements, the procedure to follow involves these directions:
- 1) For right turns, point your finger at the driver who is to make the right turn, then point where he is to turn. Keep pointing in this direction until he begins to turn.
  - 2) For left turns, use this method:
    - a) Left turns for those coming from your left: Point to a position approximately six feet from your left foot, using your index finger of your left hand to indicate this spot to the driver. They are to wait on their own side of the road at this spot until you direct them to make their turn.
    - b) Left turns for those coming from your right: Point to them similarly with the index finger of the right hand, placing them in a corresponding position approximately six feet from your right foot.
    - c) Do not permit them to execute their turns until all through-traffic has cleared the intersection, or you have stopped all traffic flow.
- f. Two officers can direct traffic at one intersection. This is normally used when there are too many factors for one man to handle adequately and efficiently. However, one of the officers should

be in charge of the operation, and initiate all commands and movements of traffic. One leads the operation, the other assists.

- g. The whistle and its use in directing traffic. The whistle is used to get the attention of drivers and pedestrians. It is to be used as follows:
  - 1) One long blast is used with the stop signal.
  - 2) Two short blasts are used with the start signal.
  - 3) Several short blasts are used to get attention of a driver or pedestrian who does not respond to a given signal as executed by the officer.
  
- h. The voice is rarely used in traffic direction for any number of reasons, the most obvious being:
  - 1) The voice usually does not carry enough volume to be heard by passing motorists or pedestrians;
  - 2) The use of voice communications increases the chances of the officer's being misunderstood.
  - 3) When commands are shouted, this tends to antagonize drivers and pedestrians; and mild commands can sound harsh when shouted to others.
  
- i. Use of the illuminated baton in directing traffic
  - 1) Stopping traffic through use of the illuminated baton is accomplished by:
    - a) Facing the moving line of traffic;
    - b) Hold baton in your right

hand, with the elbow bent.

- c) Swing or wig-wag the baton from the left to the right side of your body in an arc of about 45 degrees.
- 2) Starting traffic through the use of the illuminated baton.
    - a) Turn your body parallel to the traffic to be moved and give the normal "Go" arm movement.
    - b) This movement should be repeated in an exaggerated manner because of the limited visibility of night-time.
  - 3) Directing turning movements with the illuminated baton.
    - a) For the left turn, after stopping the conflicting traffic, point the baton at the vehicle which you want to turn, swing your baton in an arc in the direction of the turn.
    - b) For the right turn, repeat the same movements as for the left turn.

F. Traffic enforcement and its relation to the patrol officer.

1. Larger police departments have special traffic divisions, but the majority of the departments are small, and have only the patrol division to handle traffic enforcement.
2. Even in the large departments with traffic divisions, they cannot handle all the accidents and traffic enforcement during rush or peak hours. Because of this, traffic remains basically a patrol function.
  - a. The investigation of an accident involves considerable knowledge and skill.
  - b. The patrol officer cannot escape the responsibility of accident investigation.
  - c. It falls upon the department and the officer to see that he acquires this knowledge and skill.
3. Traffic enforcement is strongly dependent upon personal contact between the officer and the violator.
  - a. The important thing is that the violator is stopped and the violation brought to his attention.
  - b. There is great preventive enforcement value in stopping traffic violators on a main thoroughfare, where the situation can be observed by all passing vehicles. This makes traffic enforcement a valuable part of the patrol officer's duties.

G. Selective enforcement of traffic violations.

Selective enforcement involves directing the application of enforcement through patrol assignment and violator apprehension in such a way that the enforcement effort is generally proportional to the problems that exist in terms of time, type of violation, type of violators, degree of seriousness and type of area, as indicated by the accident experience.

1. The administrative objective - the traffic administrator has his objectives clearly defined for him by the nature of his assignment.
  - a. Broadly defined, his dual purpose is to "reduce accidents and expedite traffic flow" by forecasting the future accident expectancy as a basis for planning distribution of enforcement and personnel by:
    - 1) Analysis of past accident experience, and;
    - 2) Estimation of new future conditions that may develop.
  - b. The administrator's knowledge of the "Where" and "When" and "Why" and his ability to give that information to the men in the field is the keystone of a proper traffic program.
2. Practical difficulties to selective enforcement.
  - a. All manpower cannot be placed exactly on the accident frequency plan.
    - 1) To maintain good morale and proper esprit-de-corps, the officers must have reasonable working hours and adequate days off. To figure the actual operating personnel available, it is necessary to deduct approximately 22 per cent from the total assigned personnel, or , more simply, one man lost for every five assigned.
    - 2) To give adequate protection for the entire area, it is necessary to have at least some officers on duty at all times, and in many cases it is impossible to place enough officers in bad areas at all times. Selective enforcement consists in proportioning effort to problems, with modification of proportioning

insofar as special concentration is required at certain times.

- b. It is possible to over-concentrate and cause the problem to change from one area to another without gaining the desired control.
  - 1) This may cause one area or surrounding areas to become worse.
  - 2) The public, or at least those that really need the tight enforcement, may become aware of the concentrated enforcement and change their route of travel during the time of strongest enforcement.
- 3. Three "musts" in planning a selective enforcement program.
  - a. First, every accident must be thoroughly investigated, primarily to find the law violations, and to have complete reporting of all accidents.
    - 1) It is generally accepted that accidents are caused by a chain of circumstances and it is important to know what occurred prior to the violation which allegedly caused the accident.
    - 2) The importance of this is apparent when one considers that the right-of-way violations are indicated as the cause of a large percentage of accidents, when we know that illegal or unsafe approach speeds are really the basic cause of such collisions.
  - b. Secondly, it must justify the collection and analysis of accident records; the information concerning accident causes must reach the enforcement personnel in such form that it can be readily understood and used. This may be accomplished in several ways:

- 1) In smaller departments a great deal can be done by having regular meetings of all officers, where the information is given orally or in bulletin form.
  - 2) In medium-sized departments it has been found more workable to have staff conferences of supervising officers, who in turn pass on the information either orally or in bulletin form to the men who work under them.
  - 3) In large metropolitan departments, it is necessary to have staff conferences of administrative officers in charge of the various divisions, who in turn relay the information down the chain of command they are responsible for.
- c. Third, to be successful, selective enforcement requires interested, informed, and capable supervision.
- 1) Sergeants or squad leaders should be conversant with the methods and function of accident investigation, accident record control and record analysis.
  - 2) The uniformity of action and adherence to policies and tolerances established by competent authority is a prerequisite to progress.
    - a) Officers may or may not cite violations as instructed. The temptation to gravitate to places where "easy" violations are plentiful is very great.
    - b) Conversely, in some places, violations causing accidents may be also inadvertently overlooked and/or deliberately thrust aside, as being "petty" or otherwise dismissed.

4. Three factors to keep foremost in mind in applying a selective enforcement program.
  - a. The first of the three factors involves only the time element or the distribution of enforcement personnel to conform to the time of occurrence of accidents.
    - 1) Plotting an hourly frequency curve will graphically demonstrate the need for men by time. EXAMPLE: If 35 per cent of the accident frequency occurs between 4:00 P.M. and 8:00 P.M., then ideally 35 per cent of the available personnel should be on duty at least assigned that time.
    - 2) It must be appreciated that regular time losses such as court appearances, meals, special details, report writing, etc., will materially affect the orderly distribution of manpower.
    - 3) A large city will require a 24-hour span of enforcement coverage, with overlapping shifts at peak hours. Smaller communities could probably be adequately covered by less than a 24-hour span of such effort.
      - a) If the accident experience falls below 5 per cent of the total for any given period, that period may be disregarded in our planning. The enforcement at those times may be left to the accident investigation and regular patrol units.
      - b) The most important element that must be watched is that sufficient enforcement personnel are on the street at the high accident frequency times to insure adequate deterrent effect. If the enforcement is

left entirely up to the accident investigation squads, a check will indicate that most of the investigators' time is taken up with investigations instead of needed enforcement.

- 4) Similar studies must be made on the day-of-week and month-of-year basis. This will give a definite indication of what days off and vacation times can be given without impairing the enforcement strength.
- b. The second factor to be considered in good enforcement planning is where the enforcement personnel should work to get the maximum results with the available manpower. A good set of spot maps showing all of those natural boundaries and barriers which are a part of every community, as well as the location of every accident is the administrator's most valuable guide in the development of this factor.
- 1) The establishment of beats or patrols is the first step involved in area control and can be done in several ways - lines, district or combination.
    - a) A line patrol is one on which the officer rides a designated street or series of streets during his tour of duty.
    - b) A district patrol is one which the officer has a prescribed district within which he covers all streets and roads.
    - c) There may be a combination of both districts and line patrol wherein an officer may cover also a district for a portion of the tour and cover a line patrol during the remainder.

- d) In some localities it is necessary to superimpose a line patrol over a district patrol in order to cover some excessively heavy-traveled highway through an otherwise normal district.
- 2) An enforcement patrol system should be flexible enough to be altered as circumstances warrant. Constant checking of the spot maps will show when it is advisable to extend, shorten or even develop a new patrol area.
- c. The third and most difficult factor to cope with in the development of the selective enforcement program involves the violations causing the accidents. It is essential that the men assigned to enforcement know what the accident-causing violations are in order to deal effectively with the problem.
- 1) From the initial investigation of an accident to the officer in the field arresting subsequent violators, the interpretations of what constitutes a violation differ greatly. This variation is proof of the great need for more training and uniformity of understanding regarding the elements of a violation.
  - 2) A set of spot maps showing a comparison of violations involving accidents to violations as cited by officers will give a good indication of the quality of enforcement and show whether the type of enforcement that is needed is being applied at the proper location.
  - 3) This can also be shown for monthly, quarterly, semi-annually or annually by bar, line or graph charts broken down to percentage-

by-violation.

5. Re-checking to determine the effectiveness of the program. A selective enforcement program takes time to develop and considerable time to maintain, and should not be undertaken unless adequate provisions are made for constant checking of its effectiveness.
  - a. The administrative tools of records and analysis already set up can be used as a measuring stick to indicate the need for changes from time to time.
  - b. Many times, unless a problem is checked and cross-checked, the action decided on by the administrator may prove to be treating only one of the symptoms needing care rather than furnishing a workable cure.
- H. Traffic violations and officer procedures in contacting and citing the violator.
  1. When you observe a traffic violation, have the offender pull over to the curb. Ordinarily, use of the emergency light will apprise the offending driver of the intentions of the officer.
  2. Once the offending driver has pulled to the curb, you should alight from your vehicle and request his license and registration.
    - a. By requesting his license and registration, you immediately put him on the defensive.
      - 1) First of all, regardless of the offense, failure to possess a valid license is, in itself, an offense. Lack of a registration might indicate that the vehicle is stolen.
      - 2) Secondly, if he drives away out of anger or fear while being questioned, these papers might insure that he can be located at a later date.

- 3) Lastly, searching for the proper identification may cool a hot-tempered driver.
- b. A person on the defensive, instead of spouting abuse, is usually hesitant or cooperative.
3. After finding his papers in order, you should inform the driver of the violation.
  4. Then you should courteously listen to his side of the story, if he has one.
  5. Get the necessary information from the driver and return to the police car, with his license and registration, to complete the summons.
  6. If the offending driver comes to you and talks courteously, you should reciprocate by listening to his story.
  7. If he becomes abusive toward you or injects innuendoes about you in particular or policemen in general, hold your temper. Ask him to return to his car. Tell him that as soon as you complete the summons, you will bring it to him.
  8. On those occasions when the abuse continues, do not answer the offender; just roll up your window. Few people will talk to someone who will not listen and cannot hear them.
  9. By completing the summons inside the police car, you are making maximum use of the facilities your vehicle provides. This is a good principle to follow at all times.
  10. Whenever a motorized patrol stops a driver for a routine offense, the operator should pull the police car up behind the halted vehicle.
    - a. While the partner is questioning the offending driver, the operator should remain in the car, behind the wheel with the motor running.

- b. He should make a written note of the license plate number and observe what goes on in front of him.
- c. If he sees that his partner is in difficulty or apparent danger (it's good to have a prearranged signal for just such an occurrence), the operator should follow the accepted procedures for stopping vehicles and occupant control.

I. Accident investigation.

1. Approaching the scene of a traffic accident.

- a. Should you receive a call to go to an accident involving injuries, use your red lights and siren.
- b. The scene should be protected to prevent any further injury or property damage.
- c. The injured should be cared for immediately.

2. Protecting the scene and the injured.

- a. Protection may consist of nothing more than the parking of the police car in such a manner that it can be seen by an approaching car, without being any more of a hazard than the wrecked cars are, and the turning on of the left turn signal and red lights.
- b. At night, however, you should park in such a fashion that the car's headlights will illuminate the scene, and red flares should be placed several hundred feet in advance on the approach to the scene.
- c. If the accident can be seen in time, the flares can be placed on your approach to the scene.
- d. If you cannot see the accident until you are almost upon it, give some flares to a bystander and ask him to take them

back to a safe distance and wave them at on-coming traffic, as waving attracts more attention than fixed light.

- e. When two cars are dispatched, as is usually the case on serious accidents where one-man cars are used, it should be the policy of the man in the second car to take the responsibility for flares.
- f. Should the accident be in the center of the highway, flares must be placed on both approaches.

3. Assisting the injured.

- a. Once the car is parked, ask if any injuries were sustained.
- b. Should there be any injured, radio immediately for an ambulance. If there are no injuries, report that an ambulance is not needed.
- c. At the same time call for the number of wreckers you will need, and have them stand by until you have completed your investigation.
- d. A fatality will require discretion on your part as to whether or not the body should be moved, though this is usually governed by departmental policy. Your decision should be determined by the location of the accident, the character of the traffic, and the weather.
- e. If there is any indication of criminal causes of death, a body should never be moved until the coroner or medical examiner arrives.
- f. After the ambulance has been called, apply first aid where needed.
- g. Do not move a victim unless it is imperative, and then only if you are thoroughly familiar with first aid. There have been many instances where a

person with a broken back has been paralyzed for life because an untrained man moved him in such a way as to sever the spinal cord.

- h. If the injured person has any property scattered about, gather it up and place it on the stretcher for the ambulance men to place in the hospital vault.
  - 1) If the property belongs to a dead person, gather it into a pile for the coroner or medical examiner.
  - 2) It is usually advocated that an officer should stay out of the pockets of a victim. Experience may teach you that you will have more trouble following such advice than you will by going through the pockets.
  - 3) When a victim is unconscious or dead, or cannot remember his name, ask someone to witness your actions and look through a billfold for identification.
  - 4) Count the victim's money in the presence of witnesses.

#### 4. Identifying the persons involved.

- a. Once the injured have been cared for, ask the driver of each vehicle to identify himself. After they have been identified, ask each one to give you his driver's license.
  - 1) Put the respective licenses in your pocket until the investigation has been completed.
  - 2) By having some means of identification should a driver leave the scene, the difficulty in locating him will be minimized.
  - 3) As the drivers are taking their license from their billfolds

(never handle the billfold of a person who can do it himself), scrutinize each man carefully to determine if he is injured or could be under the influence of alcohol or narcotics.

- a) The manner in which he takes his license from his billfold is usually an excellent indication of his condition.
  - b) Should he fumble, being unable to coordinate his fingers, it is a good indication that he may be intoxicated or injured; in other words, slow, awkward movements associated with alcohol and not the quick, jerky movements caused by excitement.
- b. Try to get close enough to determine if there is an odor of alcohol on his breath.
- 1) Look at his eyes to see if the pupils are either contracted or dilated, possibly indicating the use of a drug.
  - 2) If only one eye has a dilated pupil, however, it is a possible indication that the man may have sustained a bad concussion or skull fracture.
  - 3) If any of these indications of abnormal physical conditions are noticeable, call them to the attention of other persons who may act as witnesses.
- c. Ask the drivers if they are injured or hurt in any part of their body, asking especially about a head injury, and govern your actions according to their answers.
- d. Should a driver say that he has no

license, or has left it home, make him furnish you with some other means of identification, such as a draft card or other official paper, for there have been many occasions when a driver has claimed to have no license in the hope that he can leave the scene without being identified.

- e. If one driver is missing, determine if it is a case of hit-and-run and, if so, give the description to radio as quickly as possible so that the other cars and other agencies can begin looking for it.
  - 1) Be certain, however, that the missing driver actually left the scene before reporting him or his car to the dispatcher. He may only have driven to a spot where he can safely park before returning to the scene.
  - 2) If the driver is missing but the car is at the scene, the driver may be wandering in a dazed condition.

5. The investigation of a traffic accident.

- a. If the accident is minor, with no need to take pictures or to make the cars constitute a traffic hazard, mark the location of each tire on the pavement and then tell the drivers to move the cars to a safe parking place at the curb.
- b. If the accident is serious, or the cars not driveable, after you have taken each driver's license, tell them to sit in the back seat of the patrol car until you have finished with their cars.
- c. When two men are dispatched to an accident and are working together, the first man dispatched should be in charge of the investigation and responsible for its successful completion.

- d. While one man is caring for the injured and looking for drivers, the second should be taking pictures, taking measurements, and looking for witnesses.
- e. When pictures are taken, it is always best to take them before anything is moved and before any marks are made on the pavement with chalk so that there can be no question in court as to whether the pictures truly represent the scene.
  - 1) This may not always be possible since heavy traffic or the location of the accident may force you to remove the bodies or automobiles before pictures can be taken.
  - 2) If such a removal is necessary, mark the outline of the body and all four wheels of a car where they are resting on the pavement, in chalk, before the removal is made.
    - a) These marks may then be used as reference points when measurements are made.
    - b) Pictures can be taken of such chalk marks which may then be used as evidence in court, even though they do not truly represent the scene, if the judge permits their entry as evidence.
- f. Witnesses should be identified before any attempt is made to interview the drivers or other principals because witnesses may leave the scene once the excitement has died and everything is under control.
  - 1) Their leaving may be unintentional because they are in a hurry, or don't want to become involved.

**CONTINUED**

**1 OF 2**



- 2) If you notice any cars leaving the scene, jot down the license number to use as a lead in case there are not enough witnesses left at the scene to furnish you with a complete picture of what happened.

6. Traffic accident photography.

a. The purpose of taking photographs of the accident scene. There are a number of reasons for the taking of photographs at the scene of an accident. They are:

- 1) Photographs can locate the accident, as to place.
- 2) They can show damage caused by the accident.
- 3) They might indicate weather and lighting conditions which prevailed at the time of the accident.
- 4) They can show the skid marks and the paths taken by the vehicles involved.
- 5) They can be used to verify testimony.
- 6) They are usually easily understood by untrained observers.
- 7) They record permanently things which have been missed at the time of the initial investigation.
- 8) Some photographs of the accident scene might suggest possible causes of the accident.

b. For pictures taken at the scene of the accident, there are certain objectives which the photographer should attempt to attain. The following list includes some of the photographic objectives to be sought in accident investigations:

- 1) An attempt should be made to show

any identifying landmarks, such as street signs, building fronts including their addresses, etc.

- 2) License numbers should be included in the photographs. In the event a plate is crumpled, two photographs should be made; one with the condition of the plate as it was originally and the other with the plate straightened for recognition purposes.
- 3) Names on vehicles - such as firm names, etc. - should be included, as well as any interstate and/or Federal licensing indications, such as those used on buses and trucks.
- 4) Photographs should be taken showing the driver of each vehicle involved near his respective vehicle, if possible, as this puts them at the scene of the accident.
- 5) Photograph witnesses, if possible, without posing them and preferably without their knowing about it.
- 6) In hit-and-run investigations, include any parts of the hit-and-run vehicle left at the scene of the accident.
- 7) Photographs should be taken at some distance from the accident scene since close photography will tend to convey a distorted view of the scene.
- 8) Photograph the scene from four compass points if the accident occurred at an intersection; otherwise two or three general scene photographs should suffice.
- 9) The photographer might need elevation for particular shots of parts of the overall scene. He

may have to climb on some up-raised footing in order to get the proper elevation for the shot.

- c. Guidelines in accident investigation photography. There are certain guidelines which, if followed, should result in better overall coverage of the accident scene by the investigator. They are:
- 1) Photographs should be taken as soon after arrival as practical, so as to capture any details which might in a short time be obliterated.
  - 2) In the event that pictures are needed only of a general view of the accident scene, this can be done later in the investigation.
  - 3) Photographs should be limited to only those needed.
  - 4) The best possible positions should be used to get photographs.
  - 5) Photographs should be taken of all fatal accidents, all serious injury accidents, and all hit-and-run injury accidents, as well as in any accidents in which there is extensive property damage.
  - 6) Photographs should be taken of all accidents involving public transportation vehicles in which there is injury or any possibility of injury, or where public property has been destroyed.
  - 8) When photographs are taken, the following information should be included on the back of the photograph or in the notes of the photographer:
    - a) Shutter speed of the camera,
    - b) Shutter aperture of the

camera used.

- c) Time and date of each picture taken.
  - d) Distance from which each picture was taken.
  - e) Police case number involved.
  - f) Note should also be made as to the position of the camera, such as the height from the ground, the direction the shot was taken, etc.
  - g) This information should all be added to the back of the photograph when the prints are developed.
- 9) Camera sizes considered acceptable for taking police photographs. The following camera and film sizes are considered acceptable and adequate for the purposes of police photography:
- a) Speed-Graphic 4x5 Press Camera.
  - b) Kodak Instamatic.
  - c) Polaroid Land Cameras.
  - d) Any 35 millimeter camera.
- 10) The preceding cameras are all considered acceptable for photographing accident scenes.
- a) It has been found that b) through d) are generally preferable since they are cheap in initial prices and require the least amount of officer training.
  - b) The Speed-Graphic takes excellent pictures; however, it is quite complicated in operation and requires extensive

training and constant use by the photographer so that he might remain familiar with its operation, in order for the photographer to get consistently acceptable photographs.

7. Procedure for making of official State of Michigan Accident Report.
  - a. Identification of report.
    - 1) Indicate the total number of sheets attached whenever extra ones are needed to complete report.
    - 2) Insert the complete name of the department submitting the report.
    - 3) Insert the department complaint number, whenever a complaint number is used.
  - b. Department and time.
    - 1) Insert date (month, day and year accident happened).
    - 2) Insert day of the week.
    - 3) Insert the hour of the day the accident happened.
  - c. Location information.
    - 1) Name of county in which accident happened.
    - 2) Name of city in which accident occurred.
    - 3) Name of township (urban areas should use section number of township).
    - 4) Name of state or highway in which accident occurred.
      - a) Number of state trunkline or interstate trunkline.

- b) If county road, give number.
- 5) If an intersection accident give intersection of state highway or railroad crossing.
- 6) If not intersection accident, number of feet, miles or fractions thereof from the closest intersection.
  - a) Mark direction box as needed.
  - b) If roadway runs northeast, southwest, etc., two squares should be checked.
- 7) Use special references when available and necessary to pinpoint the location of accident.
- d. Damage to property, other than vehicles.
  - 1) Insert name of object of objects and nature of damage.
  - 2) Give location of object struck. (In roadway of "X" number of feet from edge of road.)
  - 3) Full name and address of property struck.
- e. Code of injuries - self explanatory. Refer to form UD-10C.
- f. Information on vehicle, driver, occupants, etc.
  - 1) Total number of vehicles involved.
  - 2) Year of vehicle.
  - 3) Make of vehicle.
  - 4) Type of vehicle (i.e., passenger coach, passenger sedan).
  - 5) Vehicle license number and year of license plate issue.

- a) If vehicle is licensed by Interstate Commerce Commission, insert license number.
  - b) If vehicle is licensed by Michigan Public Service Commission, insert license number.
- 6) Indicate parts of vehicle damaged.
- 7) Name of garage vehicle taken or if taken to owner's home, specify "owner's home."
- a) Name of wrecker service that removed vehicle.
  - b) If vehicle was driveable, indicate same.
- 8) Full name of registered owner and address of same.
- 9) Full name of driver as it appears on driver's license.
- a) Complete address of driver.
  - b) Include county in which driver resides.
- 10) Insert driver's license number, also, state in which issued.
- a) If license is regular license, with or without restriction, mark regular license box.
  - b) Any other type license insert "chauffeurs, financial responsibility, etc."
  - c) List type of restrictions, if any.
- 11) Insert month, day and year of driver's birthday.
- 12) Insert full name of each car occupant, if indicated.

- a) Complete address of occupant.
  - b) Age in term of years as of last birthday.
  - c) Male or female.
  - d) Check code of injuries.
- g. When section is used for another vehicle, follow instruction in section "f" (This section also to be used to indicate pedestrian, bicycle, trains, etc.)
- 1) Injuries to bicycle riders, pedestrians and railroad employees is to be coded the same as drivers and occupants of other vehicles.
  - 2) If pedestrian, insert full name in the driver's section and include the pedestrian's full name.
  - 3) If bicycle is involved, insert rider's name in the driver's section, if possible;
    - a) Indicate bicycle by year, make, license or serial number.
    - b) Include owner's name.
  - 4) In railroad accident insert the name of the engineer in the driver's section and fill in the name of the other attendants there at the time.
  - 5) It is recommended from experience that Vehicle No. 1 be listed as driver at fault to simplify investigation.
  - 6) In railroad accidents it is not necessary to list a driver's license number for the engineer.
- h. Insert where the injured were taken and by whom.
- i. Weather.

- 1) Check only one item.
  - 2) In the event it is clear or cloudy, check square provided, but do not cross off both clear and cloudy.
- j. Light conditions.
- 1) Check only one item.
  - 2) In the event it is either dusk or dawn, check square provided; do not cross off both dusk and dawn.
- k. Kind of locality. Check only one item which described district in which accident occurred.
- l. Roadway.
- 1) Type of construction - check only the appropriate box.
  - 2) Surface - check only item which applies at accident location.
  - 3) Character - check two boxes which describe same.
  - 4) Condition - check one item, in the event of defect, describe same.
- m. Witnesses. Insert complete name of witness(es).
- 1) Insert complete address and phone number.
  - 2) Insert age in terms of years as of last birthday.
  - 3) Insert the sex by using the letters "M" or "F".
- n. What drivers were going to do before accident.
- 1) Indicate the direction of travel the driver was going.

- a) Street or highway designated must correspond with previous designation.
  - b) Insert the speed in terms of miles per hour. The speed specified shall be the officer's opinion based on his investigation. Whenever the driver's version differs from that of the officer, explain in remarks.
- 2) Check one item for each driver - the information needed must point out what the driver intended to do just prior to the accident.
- o. Road type - self explanatory. Refer to the form UD-10C.
  - p. What pedestrian was going to do.
    - 1) Pedestrian's direction of travel. Indicate whether pedestrian was going along, across or into street or highway.
      - a) Insert name or number of street or highway.
      - b) Indicate by direction the point from where pedestrian started, to the point where he intended to go.
    - 2) Reveal then what pedestrian was actually doing.
  - q. Violation indicated.
    - 1) Violation must be checked whether or not enforcement action is taken.
    - 2) "No violation indicated" should be checked only when a thorough investigation fails to reveal any violation of the traffic law or a traffic ordinance.

- r. Physical condition - self-explanatory.  
Refer to form UD-10C.
- s. Drinking condition - self-explanatory.  
Experience has shown that the officer should not use the box "Not under the influence" but should use the box "Influence not known" as this saves an officer from judging whether a person is drunk or not drunk.
- t. Vision obstruction.
  - 1) Windshield or windows.
    - a) Whenever a driver's view is obstructed by any condition involving the windshield and windows, frosted glass, steam, snow or dirt, it should be indicated.
    - b) Packages piled within the car obstructing the driver's view should be indicated in this section, specifying the nature of obstruction.
  - 2) Buildings, signs, bushes, crops, embankment, parked cars, etc.
    - a) Check when any of these or similar items are involved.
    - b) Specify the object causing the obstruction.
  - 3) No vision obstruction - check when driver's vision was not obstructed.
- u. Vehicle condition - self-explanatory.  
Refer to form US-10C.
- v. Traffic control - self-explanatory.  
Refer to form US-10C.
- w. Accident diagram.
  - 1) North should at all times point

to top of the report.

- 2) Select the section of the diagram that most nearly corresponds to the street or highway at the accident scene.
- 3) Number each vehicle to the number assigned on the front of the report.
- 4) The diagram shall show the position of each vehicle at point of impact and where they finally came to rest.
- 5) Give or label street or highway by name.

x. Remarks and recommendation.

- 1) For use if scene needs inspecting in relation to traffic engineering; must be explained in remarks.
- 2) Used if driver needs re-examination for license competency.
- 3) If remarks take more than the allotted space an additional report sheet should be used, rather than an additional piece of paper.

y. Police record.

- 1) Insert names of all persons arrested or issued a summons in connection with the accident.
- 2) Insert full name of person reporting the accident.
- 3) Insert the date the accident was reported.
- 4) Insert time of day the accident was reported.
- 5) The name of the person who received the report on behalf of the police agency.
- 6) The investigating officer preparing

report shall sign his name and give his rank.

- a) Badge number of officer preparing report.
  - b) The name of the department or station where investigating officers are assigned.
- 7) Check whether or not the accident was investigated at scene of its occurrence.
  - 8) Check whether or not photos were taken in connection with the accident.
  - 9) Do not check this section unless the accident investigation is completed.
    - a) Check closed by arrest, when a person involved in the accident was arrested or issued a summons.
    - b) Check closed by other, whenever the accident complaint is closed for any reason other than person being arrested or given a summons.
  - 10) Insert the date the accident complaint was closed whether it be by arrest, summons, or other disposition.
  - 11) Not to be used except by Michigan State Police.
8. Procedure for investigation of fatal accidents. A fatal accident is any motor vehicle accident that results in death from injuries to persons at time of accident or up to twelve months after such accident, if the cause of death is attributed to the accident.
- a. Procedure is the same as described in property damage and injury accidents.

STATE OF MICHIGAN  
OFFICIAL TRAFFIC ACCIDENT REPORT

UD-10C

No. of sheets attached.....1..... Department.....2..... **A**..... Complaint No.....3.....

File Class Number.....a.....

A. IDENTIFICATION OF REPORT

1. Insert the total number of sheets attached whenever extra ones are needed to complete the report. Extra sheets will be necessary whenever more than two vehicles are involved, more than five occupants in one vehicle, more than one pedestrian, more than three witnesses, an enlarged diagram, or when more space is needed for remarks and recommendations, and whenever more than two persons are arrested.
2. Insert the complete name of the Department submitting the report, i.e., Ingham County Sheriff, Lansing Police, Michigan State Police, etc.
3. Insert the Department complaint number or other identifying number if such a number is used.
  - a. Insert the complaint classification number when such numbers are used for filing purposes.

This section causes very little trouble and the number of mistakes made are negligible.

The biggest mistake made in this section is under File Class Number.

The officers put the wrong file number because the accident has been classified wrong.

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NOTE: The material in this section pertinent to the various interpretations of the State of Michigan Official Traffic Accident Report was provided by Trooper Richard Dragomer, Training Bureau, Michigan State Police, East Lansing, Michigan. The author gratefully acknowledges his assistance.

TIME	Date ..... 1 ..... 19 ..... Day of Week ..... 2 ..... <b>B</b> ..... at ..... 3 ..... A.M. .... P.M.
------	--

**B. DATE AND TIME**

1. Insert the date (month, day and year) the accident happened.
2. Insert the day of the week. It must coincide with the date.
3. Insert the hour of the day the accident happened.

This section causes little trouble and is cross-checked with sections H and W.

Section H is checked to assure that the light conditions correspond with the time of the accident.

Section W is checked against Section B to make sure the time of the accident corresponds with the time received.

Some officers list the time received before the accident happened. Mistakes like this are caught at the Safety and Traffic Division, East Lansing if overlooked at the post level.

EDUCATION	County .....	City <u>2</u> .....	Twp. <u>3</u> .....	Sec. <u>a</u> .....				
	Highway or street on which accident occurred (Name) <u>4</u> .....		Trunkline No. <u>a</u> .....	County Road No. <u>b</u> .....				
	AT ITS INTERSECTION WITH (street, highway or R. R. crossing) <u>5</u> .....							
	OR		<b>C</b>	<u>6</u>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; width: 25%;">N</td> <td style="border: 1px solid black; width: 25%;">S <u>a</u></td> <td style="border: 1px solid black; width: 25%;">E</td> <td style="border: 1px solid black; width: 25%;">W</td> </tr> </table>	N	S <u>a</u>	E
N	S <u>a</u>	E	W					
IF NOT AT INTERSECTION: (feet or miles or fractions thereof) .....								
of (intersecting street, highway, city, village, county line or R.R.) .....								
Special reference <u>7</u> .....	Use to indicate more precise location: (alley, house number, stream, milepost, underpass, or other landmark)							

### C. LOCATION INFORMATION

The location must be given in such a manner that it can be located on a standard State Highway or County Road map for rural accidents, and on a standard map of the City in urban accidents.

1. Insert the name of the county in every case. Whenever a motor-vehicle accident occurs near a boundary line, whether between two cities, townships, counties, states, or between a city and a rural area, the accident should be allocated to the jurisdiction in which the collision or overturning occurred. The direction of travel of the vehicle (or vehicles) involved is immaterial; likewise, the position of the vehicle (or vehicles) after the accident is unimportant. If the point of impact, overturning, etc., was exactly on the boundary line, the accident should be allocated to the jurisdiction from which the vehicle was traveling; or, if one vehicle was coming from one jurisdiction and the other vehicle from another jurisdiction, the accident should be allocated to the jurisdiction from which the driver most at fault was proceeding.
2. Insert the name of the village or city whenever the accident occurs within the incorporated limits.
3. In reporting accidents occurring in a rural unincorporated area or within an incorporated area having a population of less than 2,500 people, insert the name of the township. Cities of fewer than 2,500 population should be considered the same as villages for the purpose of this report.

Names of unincorporated villages may be shown if such unincorporated communities are identified on a standard county map. However, in these instances the name of the township must also be given.

- a. In all accidents occurring outside of an incorporated city or village, insert the section number of the township.
4. Insert the name of a street or highway whenever it has an official name. In the event the accident occurs at intersecting highways, the most important highway shall be designated first.
  - a. In the event the accident happens on a State Trunkline or Interstate Trunkline Highway, the

highway numbers also shall be used, i.e., US-27, M-78, US-23 & M-47, US-23 B.R., etc. In the event the Highway is posted with more than one route number, all such numbers will be listed.

- b. In the event the accident happens on a county road which has an official number, such number also shall be used, i.e., 25, CO-574, etc.
5. Whenever the accident happens at an intersecting street, highway or railroad crossing, insert the official number of the street or highway, or official name if it has no number, or the name of the railroad.
6. If not at an intersection, give feet or miles and tenths of miles from the nearest intersecting street or highway, city or village limit, state line, county line or railroad crossing, and identify the reference in space provided.
  - a. Mark the "direction" squares as needed. If, however, the roadway runs northeast, southwest, etc., two squares should be checked.
7. Fill in special references when available and necessary to pinpoint the location of the accident. Special reference points used may or may not be shown on maps of the location. They are intended to assist in locating the exact place the accident occurred from an on-the-scene inspection.

-SEE NEXT SHEET-

## SECTION C

This section accounts for 23 per cent of the errors made on the Official Traffic Accident Report.

Section C is cross-checked against section L, U, V, to make sure the exact location is obtained.

Many errors are made by recording the wrong county.

Many times the section number will be wrong.

It is very important that the information in Section C be correct because the information from this section is used in many ways.

Damage to property other than vehicles	1	Name object and state nature of damage					
In roadway <input type="checkbox"/> 2	<b>D</b>	feet from					
		<table border="1"> <tr> <td>N</td> <td>S</td> <td>E</td> <td><b>a</b></td> <td>W</td> </tr> </table> edge of roadway	N	S	E	<b>a</b>	W
N	S	E	<b>a</b>	W			
Name and address of owner of object struck	3						

**D. DAMAGE TO PROPERTY OTHER THAN VEHICLES**

1. When property other than vehicles, including a domestic animal, is struck, name the object or objects and state the nature of damage or injury. If object struck is not damaged, indicate no damage.
2. Fill in sections giving location of objects struck. (Refer to instruction "V" on page 10).
  - a. Mark the "direction" squares as needed. If, however, the object is southeast, southwest, etc., from the roadway, two of the squares should be checked.
3. Insert the full name and address of the owner of the property struck.

Few errors are found in this section.

<b>E</b> (Use only the most serious one in each space for injury.)	<b>CODE OF INJURY</b>
K - Dead. A - Visible signs of injury, as bleeding wound or distorted member or had to be carried from scene. B - Other visible injury, as bruises, abrasions, swelling, limping, etc. C - No visible injury but complaint of pain or momentary unconsciousness. O - No indication of injury.	

**E. CODE OF INJURY**

For every driver, pedestrian, and passenger, show the degree of injury by the appropriate code letter given on the form. An injury shall be classified on the basis of the condition observed at the time of the accident or known at the time the report is submitted.

1. **K - Killed**
2. **A - Apparently serious injuries.** *Bleeding wound* is a cut or laceration of skin or flesh from which blood flows or drops freely or saturates clothing. It is not an injury that merely oozes blood. A *distorted member* is a hand, foot, arm, leg, or finger that is out of shape or position usually because of a fracture or serious sprain. *Had to be carried from the scene* is a condition in which a person was unable to walk or drive away from the scene of the accident. It does not include persons who were carried away but could have walked or driven.
3. **B - Apparently minor injuries:** *Bruises* are discolored or swollen places where the body has received a blow. Bruises include black eyes and bloody noses. *Abrasions* are areas of the skin where the surface is roughened or broken by scratches or rubbing. A little blood generally oozes from abrasions. "Skinned" shin, knuckles, knees, and elbows are abrasions. *Swelling* is any lump, bump, or distended area often combined with a bruise or abrasion. Limping is the inability to move a limb without sign of pain. It does not include mere complaint of pain.
4. **C - Complaint of pain not accompanied by visible signs of injury.** This classification is for

those who say they want to be listed as injured but do not appear to be so and persons who seem dazed, confused, or incoherent unless such behavior can be accounted for by intoxication, extreme age, illness, great sorrow, or mental infirmities. Classify in this group any person who is known to have been "knocked out" by the accident although he seems to have recovered. In this group may be both fraudulent claims of injury and internal injury which will prove to be serious later.

5. **O - No injury apparent or suspected.**

VEHICLE NO. 1	Year <u>2</u> Make <u>3</u> Type <u>4</u> Year, No., & State of Reg. <u>5</u> ICC No. <u>a</u> MPSC No. <u>b</u>
	Parts of vehicle damaged <u>6</u> Vehicle removed to: <u>7</u> By: <u>a</u>
	Owner (FULL Name) <u>8</u> Street or RFD _____ City _____ State _____
	Driver (FULL Name) <u>9</u> Street or RFD _____ City, County, State _____
	Driver's License _____ Regular Operator's License <input type="checkbox"/> Other Type License <input type="checkbox"/> Specify Type and/or Restrictions _____ Date of Birth _____
	State _____ Number _____
	Month, Day, Year _____
	OCCUPANTS
	Front Center <u>F</u> Address _____
	Front Right _____ Address _____
Rear Left <u>12</u> Address _____	
Rear Center _____ Address _____	
Rear Right _____ Address _____	
Name _____ Street or RFD _____ City and State _____	

AGE	SEX	INJURY
<u>b</u>	<u>c</u>	<u>d</u>

**F. INFORMATION ON VEHICLE, DRIVER, OCCUPANTS, ETC.**

1. Insert the total number of vehicles involved.
2. Insert the model year of the vehicle as assigned by the manufacturer.
3. Insert the vehicle name, i.e., Ford, Chevrolet, Plymouth, etc.
4. Insert the body style of the vehicle, i.e., Fordor Sedan, Coupe, Convertible, etc.
5. Insert the year, number and state of registration. (59 WK 23-68 Mich)
  - a. Whenever the vehicle is licensed by the Interstate Commerce Commission, insert the license number.
  - b. Whenever the vehicle is licensed by the Michigan Public Service Commission, insert the license number.
6. Indicate generally the parts of the vehicle damaged.
7. Insert the name of the garage to which the vehicle was taken, or if it was taken to the owner's home, specify "owner's home".
  - a. Insert the name of the wrecker service that removed the vehicle, or if driven away by owner or driver, so indicate.
8. Insert the full name of the registered owner.
  - a. Insert the full address of the registered owner.
9. Insert the full name of each driver.
 

If the driver is licensed, the name should be exactly the same as shown on the operator's or chauffeur's license. However, if the driver's true name is known to be different from that shown on the license, the difference should be explained in the remarks.

If the driver is unlicensed, record the first, middle and surname. A married woman's own name should be given, i.e., Mary Jane Smith - not Mrs. Russell R. Smith.

  - a. Insert the complete address of the driver, including the county in which the driver resides.
10. Insert the name of the state from which the license was issued and give the complete number with special attention to accuracy.
  - a. If the license is a regular license (either with or without restrictions) check the "Regular License" block. If it is any other type license, i.e. Chauffeurs, Financial Responsibility, etc., check "Other Type License" block and indicate the type in the space provided, such as (Chauf.), (R.R.), etc. Also list the type of restrictions, if any, for the regular operator license or other type license, i.e. Vision (V), Hearing (H), Special Equipment (Spec. Equip.) etc.
11. Insert the month, day and year of the driver's birth.
12. Insert the full name of each car occupant as indicated.
  - a. Insert the complete address of each occupant.
  - b. Insert the age in terms of years as of the last birth date.
  - c. Insert the sex by using the letters "M" or "F".
  - d. Check one for each occupant as indicated in section "E". (Code of Injury)

This section (F) accounts for 10 per cent of the errors made on the Official Traffic Accident Report.

This section is checked with Section U and W.

VEHICLE NO. 2; Pedestrian or Bicycle	Year..... Make..... Type.....	Year, No., & State of Reg.....	ICC No.....	MPSC No.....	
	Parts of vehicle damaged.....		Vehicle removed to:.....	By:.....	
	Owner (FULL Name).....		Street or RFD.....	City.....	State.....
	Driver (FULL Name).....		Street or RFD.....	City, County, State	
	Driver's License.....	Regular Operator's License <input type="checkbox"/>	Other Type License <input type="checkbox"/>	Date of Birth.....	City, County, State
	State.....	Number.....	Specify Type and /or Restrictions	Month, Day, Year	
	<b>OCCUPANTS</b>				
	Front Center.....	<b>F1</b> Address.....			
	Front Right.....	Address.....			
	Rear Left.....	Address.....			
Rear Center.....	Address.....				
Rear Right.....	Name.....	Address.....	Street or RFD.....	City and State.....	

AGE	SEX	INJURY

F-1. When this section is used for another vehicle, follow the instructions in section "F". This section shall also be used to identify pedestrians, bicycles, trains, animal drawn vehicles, etc. Injuries to bicycle riders, pedestrians, railroad employees, etc., should be coded the same as drivers and occupants of motor vehicles.

In the event a pedestrian is involved, insert the name in the driver section, and include the pedestrian's full address.

Whenever a bicycle is involved, insert the rider's name in the driver section. Identify the bicycle by year, make and license number, if available. Also include the name of the owner.

In railroad accidents, insert the name of the engineer in the driver section, and fill in any other items which tend to identify the train.

Injured taken to .....

**F2**

By .....

F-2. Specify where the injured were taken and by whom.

\_\_\_\_\_

**G. WEATHER**

Check only one item. In the event it is clear or cloudy, simply check the square provided, but do not cross off either clear or cloudy. Under conditions such as: Cloudy and raining, check "raining" only. Specify any condition other than those listed by writing in the conditions under "other", i.e., sand-storm, hailstorm, etc.

\_\_\_\_\_

WEATHER (Check one)	
<input type="checkbox"/>	Clear or cloudy
<input type="checkbox"/>	Raining
<input type="checkbox"/>	Snowing
<input type="checkbox"/>	Fog
<input type="checkbox"/>	Other (specify)
_____	

LIGHT CONDITION (Check one)	
<input checked="" type="checkbox"/>	Daylight
<input type="checkbox"/>	Dusk or dawn
<input type="checkbox"/>	Darkness

**H. LIGHT**

Check only one item. In the event it is either dusk or dawn, simply check the square provided. Do not cross off either dusk or dawn.

\_\_\_\_\_

KIND OF LOCALITY (Check one)	
<input type="checkbox"/>	Mfg. or industrial
<input type="checkbox"/>	Shopping or business
<input type="checkbox"/>	Apartments
<input type="checkbox"/>	School or playground
<input type="checkbox"/>	One family homes
<input type="checkbox"/>	Farms, fields
<input type="checkbox"/>	Not developed

**I. KIND OF LOCALITY**

Check only one item which describes the district in which the accident occurred. In cases of mixed areas, check the section which most nearly applies. All expressways should be checked as "Not Developed" even if they are in cities because limited access puts them in this type of district. If the area combines business, residential or industrial, check the predominant one.

J ROADWAY			
CONSTRUCTION (Check one)	SURFACE (Check one)	CHARACTER (Check two)	CONDITION (Check one)
<input type="checkbox"/> Concrete <input type="checkbox"/> Blacktop <input type="checkbox"/> Gravel <input type="checkbox"/> Dirt or sand <input type="checkbox"/> Other (specify) _____ <div style="text-align: right; font-weight: bold; font-size: 2em;">1</div>	<input type="checkbox"/> Dry <input type="checkbox"/> Wet <input type="checkbox"/> Snowy or icy <input type="checkbox"/> Other (specify) _____ <div style="text-align: right; font-weight: bold; font-size: 2em;">2</div>	<input type="checkbox"/> Straight road <input type="checkbox"/> Curve <input type="checkbox"/> Level <input type="checkbox"/> On grade <input type="checkbox"/> Hillcrest <div style="text-align: right; font-weight: bold; font-size: 2em;">3</div>	<input type="checkbox"/> Defect (describe) <hr/> <div style="text-align: center; font-weight: bold; font-size: 2em;">4</div> <hr/> <i>Low shoulder, slippery when wet, etc.</i> <input type="checkbox"/> No defect

### J. ROADWAY

1. Construction. Check only one item. Indicate the type of road surface at the point of impact by checking the appropriate square. If the surface is partly one type and partly another, check the condition that is least favorable to safety. In the event the type is different than those listed, specify under "other". If the roadway is dirt or sand, check the square provided, but do not cross off either dirt or sand.
2. Surface. Check only the item which applies at the accident location. When the condition is snowy or icy, check the square provided, but do not cross off either snowy or icy. In the event the surface conditions differ from those listed, specify under "other".
3. Character. Check two items -- such as: Straight road and level, curve and grade, etc.
4. Condition. Check only one item. Check and describe any unusual conditions -- such as: Bumps and ruts in roadway, low shoulders, etc. In the event the highway or street is in good condition, simply check "no defects".

No major problem; Section J-1 is cross-checked against Section M. The roadway construction must agree with the Road Type of Section M.

WITNESSES	Name .....	<b>K</b>	Address .....	Age .....	Sex .....
	Name .....		Address <b>a</b>	Age <b>b</b>	Sex <b>c</b>
	Name .....		Address .....	Age .....	Sex .....

**K. WITNESSES**

Exclude those listed under "occupants" in sections F & F-1.

1. Insert the complete name of the witnesses.
  - a. Insert the complete address.
  - b. Insert the age in terms of years as of the last birth date.
  - c. Insert the sex by using the letters "M" or "F".

No major problem.

More time should be spent at the scene by the investigating officer in locating witnesses.

WHAT DRIVERS WERE GOING TO DO BEFORE ACCIDENT						
Driver No. 1 was headed		N	S	E	W	on ..... at ..... MPH
		1				Street or Highway
Driver No. 2 was headed		N	S	E	W	on ..... at ..... MPH
						a
						b
DRIVER (Check one for each driver)						
1	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Go straight ahead	Make U turn		Back	
		Overtake	Slow or stop		Remain stopped in traffic lane	
		Make right turn	Start in traffic lane	2	Remain parked	
		Make left turn	Start from parked position			

### L. WHAT DRIVERS WERE GOING TO DO BEFORE ACCIDENT

Complete one section for each driver.

1. Indicate the direction of travel by checking the appropriate square. In the event the driver was headed northwest, northeast, etc., check two appropriate squares.
  - a. Street or highway designation must correspond with section "C" items "4" and "5" of this outline.
  - b. Insert the speed in terms of miles per hour. The speed specified shall be the officer's opinion based on his investigation. Whenever the driver's version differs from that of the officer, explain in remarks.
2. Check one item for each driver. Bear in mind that the information needed must point out what the driver intended to do just prior to the accident and before executing any evasive maneuver.

Section L and U account for 22 per cent of the errors made. Section L is cross-checked against Sections C, U, and V.

Driver action must correspond to the diagram and the remarks section.

The street on which the driver was traveling must correspond with the location of the accident.

**M. ROAD TYPE**

Use this section to check number of lanes (*free from parked vehicles*) and kind of roadway available to each driver approaching location of accident. A divided roadway is a highway which is separated into two roadways by an intervening space or physical barrier constructed to impede traffic from crossing from one roadway to the other. Check *all* applicable items for each driver and refer to explanations below for guidance in checking such items.

**One Driving Lane.** This item should be marked when the highway upon which the vehicle approached the location of the accident had only one paved lane free from parked vehicles available for travel.

**Two Driving Lanes.** Same except two lanes available for travel.

**Three Driving Lanes.** Same except three lanes available for travel.

**Four or More Lanes.** Same when four or more lanes are available for travel.

On a divided highway, traffic is required to drive upon the right-hand roadway and in one direction only. In such cases record only the number of lanes available for traffic approaching location of accident.

**A Divided Roadway (Limited Access).** This refers to a divided highway where owners or occupants of abutting lands and other persons have no legal right to enter or leave roadway except at entrances and exits and in such a manner as determined by public authority having jurisdiction over the roadway. In such cases, record only the number of lanes available for traffic approaching the location of the accident.

**A Divided Roadway (Other).** This refers to a highway having divided roadways where access to roadways is not limited. In such cases record only the number of lanes available for traffic approaching the location of the accident.

**One-Way Street (Highway).** A one-way street or highway is one on which traffic may legally move in one direction only.

**Unpaved - Any Width.** A gravel or dirt roadway of any width is indicated by checking this item.

ROAD TYPE (Check one or more for each driver)		M
DRIVER		
1	2	
<input type="checkbox"/>	<input type="checkbox"/>	1 driving lane
<input type="checkbox"/>	<input type="checkbox"/>	2 driving lanes
<input type="checkbox"/>	<input type="checkbox"/>	3 driving lanes
<input type="checkbox"/>	<input type="checkbox"/>	4 or more lanes
<input type="checkbox"/>	<input type="checkbox"/>	Divided roadway ( <i>limited access</i> )
<input type="checkbox"/>	<input type="checkbox"/>	Divided roadway ( <i>other</i> )
<input type="checkbox"/>	<input type="checkbox"/>	One way street
<input type="checkbox"/>	<input type="checkbox"/>	Unpaved - any width

---

Section M is checked with Section J and results in very few errors.

WHAT PEDESTRIAN WAS DOING

Pedestrian was going

N S E W

(Check one)

- Crossing or entering at intersection
- Crossing or entering not at intersection
- Getting on or off vehicle
- Along
- Across or into
- Walking in roadway - with traffic
- Walking in roadway - against traffic
- Standing in roadway
- Pushing or working on vehicle
- Other working in roadway
- Playing in roadway
- Other in roadway
- Not in roadway

N. WHAT PEDESTRIAN WAS DOING

1. Indicate the direction the pedestrian was headed by checking the appropriate square. In the event the pedestrian was headed southwest or northeast, etc., check two squares.
  - a. Check one of the squares provided to indicate whether the pedestrian was going along, across or into the street or highway. Also insert the name or number of the street or highway.
  - b. Indicate, by direction, the point from where the pedestrian started, to the point to where he intended to go.
2. Check one item only to reveal what the pedestrian was actually doing. If, however, the items stated do not cover the situation, check "other in roadway" and explain in remarks. (Refer to Michigan Vehicle Code for definition of "Roadway").

No problem experienced with this section. The number received is small compared with the amount of other accidents.



**P. APPARENT PHYSICAL CONDITION**

Check one or more items for each driver and pedestrian.

1. Ill - Check when a driver or pedestrian is ill in any way or has a health condition which may affect his driving or walking. Explain the illness or condition in the "remarks" section.

2. Fatigue - Check whenever a driver or pedestrian appears to be unusually tired from physical or mental strain.

3. Asleep - Check when a driver or pedestrian appears to have dozed or fallen asleep.

4. Other impairment - Check when a driver or pedestrian has any handicap or other impairment, either temporary or permanent, which could have contributed to the accident. Explain the handicap or impairment in the space provided.

5. Normal - Check when no abnormal condition existed at the time of the accident. When a person's physical condition appears normal in all respects, even though having been drinking, check "normal".

6. Condition not known - Check only when unable to determine the condition of a driver or pedestrian at the time of the accident because of serious injury, death, or being unable to contact the person within a reasonable length of time after the accident.

7. Restriction on license complied with - Check when a driver is driving in accordance with the restrictions on his license.

8. Restriction on license not complied with - Check when a driver is not driving in accordance with the restrictions on his license. For example: A person who is deaf and is driving a car without an outside rear view mirror, or a person with one leg and is driving a car without an automatic transmission.

DRIVER		PED.	
<input type="checkbox"/> 1	<input type="checkbox"/> Ill	<input type="checkbox"/> 5	<input type="checkbox"/> Normal
<input type="checkbox"/> 2	<input type="checkbox"/> Fatigued	<input type="checkbox"/> 6	<input type="checkbox"/> Condition not known
<input type="checkbox"/> 3	<input type="checkbox"/> Asleep	<input type="checkbox"/> 7	<input type="checkbox"/> Restriction on license complied with
<input type="checkbox"/> 4	<input type="checkbox"/> Other impairment	<input type="checkbox"/> 8	<input type="checkbox"/> Restriction on license not complied with
(describe) _____		_____	

Thirteen per cent of the errors made on the Official Traffic Accident Report are made in this section.

Section P is checked against Section F, Driver Information.

If "Ill" is checked in Section P-1, the investigating officer should explain the nature of the illness.

If restriction is listed in Section F, it should correspond with the appropriate box in Section P.

**NOTE: DO NOT INDICATE THE DRINKING CONDITION OF A DRIVER OR PEDESTRIAN IN SECTION P.**

**Q. DRINKING CONDITION**

Check only one of the items in Section 1 through 5. Check section 6 when applicable.

1. Under the influence - Check, if in your opinion, the driver or pedestrian's condition and behavior at the time of the accident was influenced by drinking intoxicating liquor.
2. Not under the influence - Check when a driver or pedestrian has been drinking, but not to the extent that his ability is impaired.
3. Influence not known - Check whenever it is known that a driver or pedestrian had been drinking but the officer is unable to determine whether or not his ability was impaired because of serious injury, death or being unable to contact the person within a reasonable length of time after the accident occurred.
4. Had not been drinking - Check when it is evident that the driver or pedestrian had not been drinking.
5. Not known if drinking - Check when unable to determine whether a person had been drinking. In

DRINKING CONDITION (Check one)		
1	2	PED. HAD BEEN DRINKING:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Under the influence
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Not under the influence
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Influence not known
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> HAD NOT BEEN DRINKING
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> NOT KNOWN IF DRINKING
CHECK IF APPLICABLE:		
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Chemical test given

most instances, careful investigation will disclose whether or not drivers or pedestrians "had been drinking" prior to the accident. This item should be checked only when it is not reasonably or practically possible to determine the drinking condition.

6. Chemical tests given - Check when any type of chemical test is made to determine the extent of intoxication.

If the investigating officer checks Section Q-5, an explanation must be submitted in Section V under "Remarks," giving reasons his (driver's) condition is not known.

See Next Sheet

## R. VISION OBSTRUCTION

Check one or more items. Vision obstructions may be any condition or object that will keep a driver from seeing another vehicle, a control device, or a hazard.

1. Windshield or windows - Check whenever a driver's view is obstructed by any condition involving the windshield or windows. Defective glass, frost or steam, rain or snow, dirt, etc., should be indicated. (*Packages piled within the car obstructing the driver's view should be included in this section*). In each instance, specify the nature of the obstruction in the space provided.
2. Buildings, signs, bushes, crops, embankment, parked cars, etc. - Check when any of these or similar items are involved. In each instance, specify the object causing the obstruction in the space provided.
3. No vision obstruction - Check whenever the driver's vision was not obstructed.

VISION OBSTRUCTION (Check one or more for each driver)	
DRIVER	
<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 2 Windshield or windows
(describe) _____	
_____	
<input checked="" type="checkbox"/> 2	<input type="checkbox"/> Bldgs., signs, bushes, crops, embankment, parked cars, etc.
(describe) _____	
_____	
<input checked="" type="checkbox"/> 3	<input type="checkbox"/> No vision obstruction

### S. VEHICLE CONDITION

Whenever inspection and testing of vehicles shows that defects in equipment were present at the time of the accident, check the applicable items whether the defect contributed to the accident or not. In the event the specific defect is not listed, check "other defective equipment" and specify the condition in the space provided. When you are unable to determine because of damage, that vehicle defects existed, indicate by checking "not known if defective". Check "no defect" only when you are certain that no defects existed.

VEHICLE CONDITION		
<i>(Check one or more)</i>		
VEHICLE		
1	2	
<input type="checkbox"/>	<input type="checkbox"/>	Defective brakes
<input type="checkbox"/>	<input type="checkbox"/>	Defective lights
<input type="checkbox"/>	<input type="checkbox"/>	Defective steering
<input type="checkbox"/>	<input type="checkbox"/>	Defective tires
<input type="checkbox"/>	<input type="checkbox"/>	Other defective equipment
<i>(specify)</i> _____		
_____		
<input type="checkbox"/>	<input type="checkbox"/>	Not known if defective
<input type="checkbox"/>	<input type="checkbox"/>	No defect



## T. TRAFFIC CONTROL

Check one or more items. Check the proper square to indicate the type of traffic control present. Consider "traffic control devices" present if one is installed which should have influenced the drivers involved. Under "other", consider pavement markings, warning signs, signals and special speed limit signs, etc. (A special speed limit sign is one which requires a speed of less than 65 miles per hour in the daytime and 55 miles per hour at night). When special speed limit signs are posted, specify the legal speed. Whenever the existing control is not functioning, inadequate or obscured, check the appropriate square and explain in the space provided. When there is no control present, check the proper square.

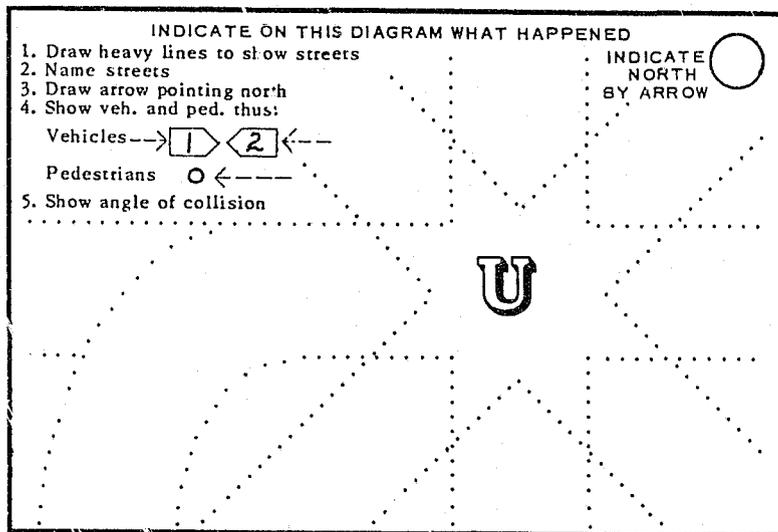
TRAFFIC CONTROL (Check one or more)	
<input type="checkbox"/>	Stop sign
<input type="checkbox"/>	Stop and go signal
<input type="checkbox"/>	Officer or watchman
<input type="checkbox"/>	R.R. gates or signals
<input type="checkbox"/>	Other (specify) _____
<input type="checkbox"/>	Control not functioning, inadequate or obscured (describe) _____
<input type="checkbox"/>	No traffic control present



When listing a traffic control under Section T, it is checked against Section U. The control should be present in the diagram.

## U. ACCIDENT DIAGRAM SECTION

Always complete the diagram in the space provided unless a more detailed diagram is submitted with the report. Whenever possible, indicate north by an arrow pointing to the top of the report (*within the circle located at the top right corner of the diagram*) as is usual on standard maps. Select the section of the diagram that most nearly corresponds to the street or highway at the accident scene. Number each vehicle to correspond with the number assigned on the front of the report. The diagram shall show the position of each vehicle at the point of impact and where they finally came to rest. The direction from which the vehicles came shall be shown by an arrow. From the point of impact to where the vehicles came to rest shall be shown by a broken line. Include and identify in the diagram any physical feature of importance such as a view obstruction, traffic signal, warning sign, fixed objects, etc. Also give any important measurements such as road width, skid marks, or the distance a fixed object was from the roadway. Indicate if a vehicle turned over and, if possible, the number of times. Whenever vehicles are indirectly involved (*whether moving or parked*) indicate their actions or positions in the diagram and remarks sections.



Twenty-two per cent of the errors made on the Official Traffic Accident Report are made in Sections L and U.

Section U is cross-checked with Sections E, F, L, C, T, and V.



POLICE RECORD	Arrest: Name.....1.....	Charge.....a.....
	Arrest: Name.....2.....	Charge.....a.....
	Reported by (name).....3.....	Address.....4.....
	Date received.....5.....	Time.....6..... <input type="checkbox"/> AM <input type="checkbox"/> PM
	Investigator.....7.....	Report received by (officer).....8.....
	Investigated at scene? <input type="checkbox"/> Yes <input type="checkbox"/> No	Photographs taken? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Signature and Rank.....9.....	Badge No.....a.....
		Station or Department.....b.....
	Complaint closed by: <input type="checkbox"/> Arrest <input type="checkbox"/> Other	Date.....10.....
		Post No. 11

**W. POLICE RECORD**

1. Insert the names of all persons arrested or issued a summons in connection with the accident.
  - a. Insert the nature of the offense for which the persons were arrested or issued a summons. Do not list the offense by code number.
2. Insert the full name of the person reporting the accident.
  - a. Insert the complete address of the person reporting the accident.
3. Insert the date the accident was reported.
4. Insert the time of day the accident was reported.
5. Insert the name of the person who received the report on behalf of the police agency.
6. The investigating officer preparing the report shall sign his name and give his rank.
  - a. Insert the badge number of the officer preparing the report.
  - b. Insert the name of the department or station where investigating officers are assigned. This space may be used to indicate precinct stations, etc.
7. Indicate whether or not the accident was investigated at the scene of its occurrence.
8. Indicate whether or not photographs were taken in connection with the accident.
9. Do not check this section unless the accident investigation is completed.
  - a. Check "closed by arrest" when a person involved in the accident was arrested or issued a summons.
  - b. Check "closed by other" whenever the accident complaint is closed for any reason other than a person being arrested or issued a summons.
10. Insert the date the accident complaint was closed whether it be by arrest, summons, or other disposition.
11. This section is to be used by the Michigan State Police only to indicate the number of the post closing the complaint.

Section W causes little difficulty. This section must correspond with Sections B, H, F, F-1.

- 1) Always have the victims removed to hospital from scene. Police officers are not doctors and should not take the responsibility of pronouncing death.
  - 2) The exceptions involve decapitation or when rigor mortis has set in.
- b. After a competent authority has declared that death has occurred, the following procedure should be followed. This is over and above the routine accident investigation:
- 1) Witnesses should be located, their names, addresses and phone numbers obtained. Informal statements should be taken by assisting officers at this time.
  - 2) Photographs should be taken to prove and record observed facts on which you or someone else bases opinions reconstructing accident. These should show:
    - a) Where vehicles came to rest after collision.
    - b) The damage to vehicles.
    - c) Debris or marks on road.
    - d) Paths of vehicle before and after collision. This can be determined by: skid marks, tire prints, pavement gouges, scuffed turf or curb.
    - e) View the driver had approaching the key point of accident can be recorded on film, and should include obstructions of view, as well as position and conditions of signs, signals or street lights.
    - f) Special details of damage either to vehicles (broken

parts) or to the roadway (which might have contributed to the accident).

- 3) Measurements are very important for recording certain facts, such as:
  - a) The places where vehicles came to rest after collision.
  - b) Anything to indicate point of collision or running off pavement or shoulder.
  - c) The places where dead or injured persons were lying after collision.
  - d) Anything to show position of vehicles in road before collision (skid marks and gouges are most common).
  - e) Also, such recordings are important in order to secure measurements for scale drawing.
  
- 4) What to look for on the road. In many investigations there has been someone to tell the investigators what happened and therefore they sometimes fail to look for themselves to see for themselves. In some fatal accidents, nobody is left to tell you anything; all you know about what happened must be learned from what you can see. In any accident investigation, the investigator should always look for:
  - a) Paint chips, glass fragments, etc.
  - b) Vehicle fluids.
  - c) Liquid.
  - d) Cargo.
  - e) Road materials.

f) Blood.

c. Duties away from scene.

- 1) The medical examiner studies the cause of violent or accident deaths. Therefore he should be notified immediately.
  - a) He is then technically in charge of body after such notification.
  - b) Therefore, the investigator must not release body unless he has medical examiner's permission.
  - c) At all times, handle body with respect and safeguard the valuables of the deceased.
- 2) Identification of body must be provided for.
  - a) This is usually done by the closest relative. Have body identified to you, preferably in front of a witness. You should leave short report regarding this identification to accompany fatal folder.
  - b) Friends of long standing can also be used for this purpose. However, the prosecutor should be consulted regarding this.
- 3) The prosecuting attorney should be consulted and given facts pertaining to accident.
  - a) From these facts he determines if an autopsy is to be conducted.
  - b) If an autopsy is ordered, the investigator should contact pathologist and arrange autopsy.

- 4) Statements constitute a permanent record of what is said.
  - a) Take formal statement from witnesses, and, if possible, have defendant present at time of statement.
  - b) When taking a statement from a person to be charged, you must advise him of his constitutional rights.
- 5) An autopsy is an examination of a body to determine the cause of death. The investigator should:
  - a) Identify the body to pathologist.
  - b) Have prosecutor's office authorization for autopsy properly filled out and give it to pathologist.
  - c) Attend the autopsy in its entirety.
- 6) Scale drawings are complete drawings of an accident scene, to scale, and should indicate the following:
  - a) All of the area encompassed by the action that led up to or caused the accident.
  - b) The places where vehicles all came to rest after collision, if vehicles were present at the scene when measurements were taken for drawing.
  - c) The places where dead or injured persons were lying after the accident, if victims were present when measurements were taken.

- d) Measurements that were taken to determine point of impact.
- e) The location of the vehicle(s) prior to the impact; there is usually evidence such as skid marks, gouges in roadway or curb, etc.

9. Abbreviations used in accident report and teletype information.

a. Abbreviations used in response to accident and criminal response.

- 1) DUIL - Driving While Under Influence of Intoxicating Liquor.
- 2) F - Felony in Commission of Which a Motor Vehicle is Used.
- 3) FD - Felonious Driving.
- 4) LSA - Leaving the Scene of a Personal Injury Accident.
- 5) M - Manslaughter.
- 6) ND - Driving While Under Influence of Narcotic Drugs.
- 7) NH - Negligent Homicide.
- 8) P - Perjury, false statement on application of license.
- 9) PDD - Permitting a Drunk to Drive.
- 10) 3RD - Three convictions of Reckless Driving within 12 month period.
- 11) UDAA - Unlawfully Driving Away a Motor Vehicle (with intent to steal).
- 12) UJ - Unsatisfied Judgment.

b. Abbreviations used for driver improvement.

- 1) DWLS - Driving While License Suspended.
- 2) DWLR - Driving While License Revoked.
- 3) MI - Mentally Incompetent.
- 4) PI - Physically Incompetent.
- 5) UPT - Unable to Pass Test.
- 6) UDR - Unsatisfactory Driving Record.
- 7) VLR - Violation of License Restrictions.

c. Termination of action abbreviations.

- 1) Date - (Example, 9-15-56) suspension termination date.
- 2) Indef. - (Indefinite) suspension until certain driver qualifications have been fulfilled.
- 3) Rev. - (Revocation) license terminated and application for new license may be acted upon after one year.
- 4) FR - (Financial Responsibility) suspended until compliance has been made with Financial Responsibility Law.

10. Witnesses to an accident.

a. In searching for witnesses, a certain amount of psychology must be used to get witnesses to identify themselves.

- 1) There is little advantage in standing in the middle of the street and asking, "Who saw what happened?" as few people wish to attract the kind of attention they will receive by stepping forward.
- 2) It is much better to circulate in

the crowd and say, "How do you do? I understand that you saw . . . . .," in a courteous, well-modulated voice. He will usually tell you what he saw or point to someone who is a witness, when he didn't actually see anything himself.

- 3) If any person seems to hesitate before giving you a negative reply, take his name and address anyhow. When witnesses are lacking, you may have to contact these reluctant witnesses and break them down to get a story.
  - 4) Watch for both those who are trying to attract your attention with their eyes, and those who are trying to remain unnoticed. When only a few witnesses are found, you can get their stories immediately.
  - 5) Be sure to ask where they were at the time of the accident; and when they make a statement, ask them how they know that what they are saying is true. A good policy to follow is to ask each witness if he can drive a car.
    - a) If the answer is in the affirmative, ask how long they have been driving.
    - b) More attention is ordinarily given the story of an experienced driver.
- b. When there are many witnesses, the weather is bad, or traffic dangerous, jot down the names, addresses, place of occupation, and telephone number of the local residents and allow them to leave. You can contact them later.
  - c. The stories of transients, or those who live some distance away, must be taken down before they leave the scene.
  - d. With any witness, write down what they

have to say word for word, when possible, then ask them to read what has been written and sign it.

- e. Don't use a negative approach in asking them to sign. Hand them a pencil and say, "If it is correct, sign at the bottom, please", and act as though it is expected of them.
  - f. Don't be perturbed if someone refuses since they don't have to sign. However, in case of a fatality, have all the witnesses and drivers go to the station to give notarized statements.
  - g. Passengers as witnesses. Don't overlook the passengers as witnesses. Although they are usually biased in favor of their driver, there are occasions when they are the best of witnesses.
    - 1) The passengers are only of value in determining who was actually driving the car.
    - 2) There are always three things to prove in the prosecution of any person on any criminal charge:
      - a) That the crime has actually been committed, in this case a traffic violation.
      - b) That the defendant committed the crime, the driver.
      - c) The degree of the crime.
11. Measurements and notebook information. After the witnesses have been discovered and their stories taken, turn your attention to the cars and to pertinent measurements.
- a. If you are working alone and want pictures, take them at this time before the wrecked vehicles are removed.
  - b. Measure all skid marks, where the

vehicles came to rest, where the dead or injured were lying, and the approximate point of collision, which can usually be found by the pile of dirt jarred loose from the cars, or where the glass from the headlights dropped, or water drops from a punctured radiator, etc.

- c. The cause of running off the road, and, if possible, the position of the vehicles before the collision should be determined.
- d. If a measuring tape is used, have someone hold one end and, after you have read the distance, have the helper exchange places with you so that he can read the measurements himself.
  - 1) If this is not done, but you merely tell him what the distance is, he cannot testify in court to the distances measured.
  - 2) What you may tell him is only hearsay evidence and is not admissible in court because he didn't actually see the measurement himself.
- e. If a roll type measuring device is used, be certain that the helper sees that it was set on zero and reads the numbers after the measurement.
- f. If you have no tape, you can pace the distance.
  - 1) Try to keep your stride as near to three feet as possible.
  - 2) Although measurements by pacing are not as acceptable in court as are measurements made by some measuring device, they are better than no measurements at all.
  - 3) Do not put down distances as feet when measuring by paces. Put in your report that the distance was paced and the number of paces.

- g. It should be pointed out that if a tape is used, it should be a steel tape. A cloth tape will stretch so that a defense lawyer can cast some doubt as to the exactness of measurements made with such a tape.
12. Faulty equipment. After all measurements are taken and noted in your notebook, check each car for faulty equipment or causes contributing to the accident.
- a. Check the brake pedal pressure and note how far from the floorboard the pedal stops.
    - 1) If there is no pressure, look under the car for evidence of a broken hydraulic brake line.
    - 2) See if there is any brake fluid on the pavement at or near the point of impact.
    - 3) Since doubt may be cast on your mechanical ability in court, ask the wreckermen to inspect the brakes, if they should appear faulty.
  - b. When a car is involved in an accident during a turn, check the turn signal devices to see if they are operating. If not, notice if the window on the driver's side was down.
  - c. Check the hand brake and the position of the gear-shift lever to determine what gear the car was in.
  - d. If at night when lights may be a contributing factor, check to see if they are on high or low beam, and if both are burning.
  - e. When a headlight is found to be broken, see if it can be determined whether the light was burning at the time it broke by looking at the element.

- 1) If the element is broken cleanly, it was not burning at the time it broke.
  - 2) If the element is melted to the post, it indicates that the light was burning when the lens cracked.
  - 3) This is easily seen in sealed beam headlights, for when oxygen strikes a burning element, the element melts.
- f. Check the stop lights and tail lights, if these could have had anything to do with the accident, and notice the amount of visibility the driver had. For instance, check to see if the windshield was covered with frost or stickers.

13. Estimating speed.

- a. Whenever the element of speed is involved, and the cars are still driveable, the best possible way for you to determine if the speed limit was being exceeded is to drive the same car, on the same place on the road, and skid the tires.
- b. Attain the legal speed, slam on the brakes so that the wheels lock, then measure the skid marks left on the road. The brakes must be locked, however. Whoever is helping you should also watch the speedometer in order to verify your findings.
- c. Although there are charts available which give estimates of how far cars will skid under varying conditions, they are often not accurate because of the many variables.
  - 1) Whether the surface is consistent (a surface spotted here and there with oil, frost, gravel, or even smooth spots) will throw the charts off.

- 2) A clogged hydraulic brake line or unevenly adjusted brakes, can also cause a difference.

d. Skid marks.

- 1) All that is necessary for you to determine is the length of the skid marks left while traveling at the legal speed. There is no need for you to experiment until you find the exact speed the car was traveling at the time of the collision.
- 2) If the skid marks are longer than those made at the legal speed, you can safely say that the car was exceeding the limit. There is a formula available for use by the police in determining speed.

14. Interrogation of driver.

- a. After each car has been checked, return to your own car and interview the drivers.
- b. It is much easier to talk to the drivers while they are seated in the police car, because:
  - 1) The windows can be rolled up to discourage eavesdroppers.
  - 2) It is warm.
  - 3) It is close.
  - 4) It is quiet so that you can hear every word and do not have to strain your ears to hear above traffic and crowd noises.
  - 5) Each driver's actions can be noticed by the others.
  - 6) There are proper forms handy for the use of the officer.
  - 7) Rain, wind, snow or other element

does not damage the paper of the report.

c. It is usually advocated that each driver be questioned separately with a repetition of questioning with both drivers present later.

- 1) There are important advantages in interrogating the drivers together, after they have been questioned separately.
- 2) By keeping them separated during the initial interrogation, their stories can be broken down. They are on opposite sides of the fence, and at least one is usually responsible for the accident, if not both of them.
- 3) The two drivers should eventually be questioned in the presence of each other.
  - a) A driver telling his story where no one can contradict him when he lies, will often deny any responsibility for the accident.
  - b) He may refuse to admit that he committed any act that could have contributed to the accident.
  - c) This seldom happens when the other driver is listening, for the driver responsible for the accident is well aware that the others know when a lie is being told.
  - d) When the story is told by one in the presence of the other, the violator may admit his violation and may try to rationalize his actions.
  - e) Any statement made by one

driver which is against the interests of the second, which is not denied by the second, is admissible in court as an admission and is an exception to the "hearsay" law.

- d. Be alert for any indication that a violation was committed by making certain that you learn which direction each car was traveling, which car struck the other, which had the right-of-way, and so forth. If these points are not brought out by the driver voluntarily, ask him about them later.
- e. It is usually better to question the driver you feel to be at fault first; for if the innocent party fails to mention some important fact, the driver at fault may deliberately fail to mention it.
- f. Do not overlook the obvious. Very frequently when a suspect in a crime is frankly asked if he committed a crime, he will just as frankly admit his guilt.
- g. Try the same procedure on drivers. Ask them how fast they were traveling or if they are responsible.
- h. Check and investigate any extenuating circumstances.
  - 1) If a violation is admitted but an excuse is given that a sign in the street could not be seen, a traffic signal was not working, there were holes in the street that had to be dodged, etc., check these excuses.
  - 2) In fact, even though no excuse is given for the violation, check all possibilities anyhow, in case the driver attempts to use one as an excuse in a future trial.
    - a) If you do not make an inspection of all the variables, you

may do a man an injustice by issuing a citation when he is not at fault, or may fail to get a conviction at any subsequent trial of a legitimately arrested person, should he plead "Not Guilty."

- b) An officer appears very stupid to a judge or jury when he is asked if a light was working at an intersection, a sign torn down, and so on, when he has to admit that he doesn't know because he failed to do his job by inspecting those things.
  - 3) There have been many occasions when a driver could not recall the reasons for an accident immediately after it occurred, but remembered the reason later after he calmed down and had time to think.
  - 4) Ask for the names, ages, and addresses of each passenger and where they were sitting in the car. You may be able to discredit the testimony of a passenger, who may claim that the driver was driving at a legal speed, if you can show that the passenger was sitting in such a position that the speedometer could not be read.
  - 5) After you have all the details as they were given you, ask the driver to read it for accuracy and to sign it at the bottom. He does not have to sign, so act as though it is expected of everyone involved in accidents.
15. Information exchange for the drivers.
- a. To save time and eliminate confusion, write down the information each driver will need in making out accident reports.
  - b. Tell them when and where an accident

report must be made.

- c. Some officers use carbon paper when they make out the original report, then tear off the part each driver needs containing the information pertaining to the others.

16. Enforcement in traffic accident cases.

- a. It is at this time that a traffic citation should be issued, if one is deemed necessary.
- b. By now you have heard the stories of the drivers, and the witnesses. By comparing the statements made by the drivers and witnesses to the results of the examination of all physical evidence found at the scene, possibly a decision can be made as to which driver was at fault and a citation can be issued.
- c. If you are at a loss as to whether a violation has actually been committed, submit all the facts to your agency prosecutor who can then determine if a warrant should be issued.
- d. In serious accidents where there is either a personal injury or a large amount of property damage, notarized statements are usually taken from all witnesses and drivers before there is an opportunity to forget details.
- e. It is usually not good policy to issue a citation to one driver when the other driver has not been interviewed.
- f. The citation should be for a specific charge you believe can be proven by all available evidence, rather than a general charge that may be difficult to prove - such as reckless or negligent driving. Several citations could be issued if you believe you can prove each one.

- 1) Under common law, if the offenses

were of the same degree there was no merger of offenses.

- 2) Statutory provisions sometimes permit the merger of traffic misdemeanors into other misdemeanors so that two or more of the above offenses may merge into reckless driving. The prosecutor will then try a driver for only one offense.
  - 3) If it is felt that the reckless driving charge cannot be proved, the charge of careless or negligent driving may be placed. These offenses are included in reckless driving as lesser offenses.
  - 4) A prosecutor may drop all charges except one. This will not be a merger of offenses but will merely be a prosecution for one of the more serious offenses for which the driver can be convicted in court.
- g. If you have issued a citation for each of the several offenses, the driver will be found guilty of the one charge, and the others will be either dropped or the person found guilty of each with the sentences suspended. Several citations need not, however, be issued by you.
- h. If the report you make of the accident is complete, the prosecutor can tell by the report how many violations were committed and can prosecute each one separately, if he wishes.
17. Driving under the influence of drugs and/or alcohol.
- a. If there is some question as to whether or not one of the drivers is under the influence of alcohol, ask him if he will submit to an examination by a doctor or to have his breath analyzed, or both.
  - b. If he consents, either test will take the guesswork out of whether or not to

arrest him for this offense.

- c. Do not forget the fact that even though a man may be guilty of driving while under the influence of alcohol, he may not be at fault as far as the accident is concerned.
    - 1) His condition may have in no way contributed to what happened.
    - 2) He may have been obeying all the driving laws, when the second car failed to stop at an arterial, or whatever.
  - d. In writing your reports of the accident, bear in mind that the police are not interested in civil suits for damages. What you are interested in is if any laws were broken, the cause of the accident, and whether the city, county or state you work for could be liable.
  - e. In making a report of your investigation, ask yourself, "Am I reporting only the obvious results of this accident, or am I reporting the facts that brought about the results?"
  - f. Usually the right-of-way laws have been broken either deliberately or unintentionally, and it is your job to determine which, and why.
  - g. If the information you gather is not used to prevent other accidents of the same nature, it is valueless to you in your primary job of protecting lives and property.
18. Guidelines for drawing the accident scene.
- a. The drawing must be made to scale, and it must be made as near as possible to the time of the event (accident).
  - b. Drawing must indicate the directions of the compass (put at top of drawing). It is not necessary to be accurate within

a compass degree, but should show the direction as a road map would show the same street.

- c. The name of the drawer must be indicated on the drawing as well as the police department case number, as well as the date and time the drawing is made and the scale to which the drawing is made.
- d. The drawing perspective should be made as though the draftsman was about 100 feet directly above the accident scene and looking down on it (bird's eye view).
- e. The artist or draftsman should read all dimensions from roller type measuring devices and measuring tapes. The name of the person holding the other end of the tape should be included on the drawing.
- f. Enter all pertinent measurements on drawing as well as explanatory notations, examples are: length of skid marks, width of streets, articles that obstruct vision.
- g. If a rough sketch has been made at the scene, it must be preserved if a later drawing is made from it, but the procedure is to take the portable drafting kit to the scene and not to make any preliminary drawings or sketches.
- h. Recheck the drawing at scene when you are finished, to make sure it is accurate.
- i. What to include in drawing.
  - 1) All of the area encompassed by the action that led up to or caused the accident.
  - 2) The places where vehicles came to rest after the accident (if they are at the scene when drawing is made).

- 3) The places where dead and injured persons lie after the collision.
- 4) Anything that is visible that would indicate point of collision.
- 5) Anything to indicate location of vehicle prior to collision, such as skid marks, gouges in the road or on curbs, etc.

j. Notes and precautions:

- 1) Do not leave steel measuring tapes across the pavement for traffic to run over.
- 2) Watch traffic when making drawing, and taking measurements; don't cause another accident.
- 3) Do not touch measuring tape to any charged electrical circuit.
- 4) Wipe water and moisture from instruments then so that they will not rust or deteriorate after using.
- 5) Do not forget to reset rollatape before making the next measurement.
- 6) Do not read 9 or 6 upside down and get the wrong measurement.
- 7) Do not lose count of tape lengths if it takes more than one to complete a measurement.
- 8) For night measurements use warning red fuses for your own safety.

k. Description of portable traffic drafting kit. The portable traffic drafting kit consists of a black suitcase, large enough to hold the following:

- 1) A 13" x 20" drafting board.
- 2) One T-square.
- 3) One 12" ruler.

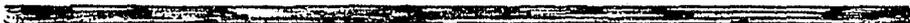
- 4) Two 3-cornered draftsmen scales.
  - 5) French curve.
  - 6) Variable degree triangle.
  - 7) Protractor.
  - 8) Two spikes with chalk lines attached.
  - 9) Two lettering guides.
  - 10) Two sizes print.
  - 11) One compass set.
  - 12) One drawing cleaning pad.
  - 13) Supply of ink heads.
  - 14) Different size points.
  - 15) Gum erasers.
  - 16) Drawing pencils.
  - 17) Sandpaper sharpener (for pencils).
  - 18) Two draftsman ink pens.
  - 19) Points for preceeding ink pens.
  - 20) Supply of drawing ink.
  - 21) Chalk.
  - 22) Drawing paper.
  - 23) One small whisk brush.
  - 24) Masking tape.
  - 25) A legal pad for making rough drawings.
  - 26) A 100 ft. measuring tape.
1. Note that this paper does not tell you how to make the drawing. This is a

separate problem and requires outside training in drafting procedure. Perspective drawing is not mentioned because of the extensive training needed.

NOTE: Attached is a sheet giving accepted symbols for traffic accident reporting for use on accident scene sketching.

- J. Motor vehicle traffic accidents in Michigan in 1966: A summary and comparison with previous years.
1. Introduction: There were 2,296 persons killed and 156,694 injured in 302,880 reported motor vehicle traffic accidents in Michigan in 1966. Compared with the final record in 1965 deaths increased 7 per cent, injuries increased 1 per cent, while total reported accidents show a decrease of 2.5 per cent.
    - a. Deaths for 1966 set a new record for persons being killed on Michigan streets and highways. The year 1966 was the sixth year in which the death toll exceeded the 2,000 mark.
    - b. Total casualties (deaths and injuries) were the highest ever in 1966 and were up for the eighth successive year.
    - c. Exposure factors were also up in 1966. Compared with 1965, motor vehicle registrations climbed 1.5 per cent and estimated vehicle mileage rose 6 per cent and licensed drivers increased 6 per cent.
    - d. Despite the increase in exposure factors in 1966, the death rate of 5.2 per 100 million vehicle miles of travel remained the same as the 1965 rate.
    - e. The economical loss in Michigan traffic accidents amounted to 415,000,000 dollars. This estimate was the highest ever in Michigan and up 35,000,000 dollars over 1965. Actual comparison of 1966 accident and related data with

ACCEPTED SYMBOLS FOR TRAFFIC ACCIDENT REPORTING

PAVEMENT EDGE: 

CURB: 

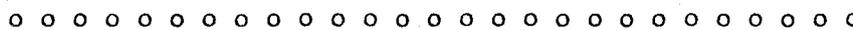
PAVEMENT CRACK: 

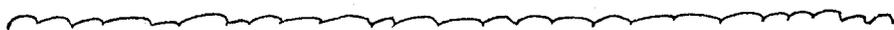
MARKED CENTER LINE: 

NO PASSING CENTER LINE: 

UNMARKED CENTER LINE: 

OTHER MARKINGS: 

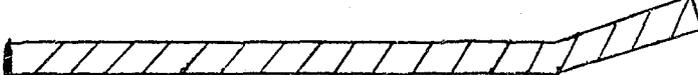
MUSHROOM BUTTONS: 

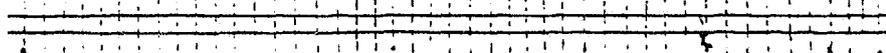
SHOULDER EDGE: 

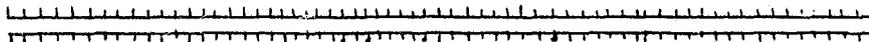
GUARD FENCE OR RAIL: 

FENCE: 

EMBANKMENT: 

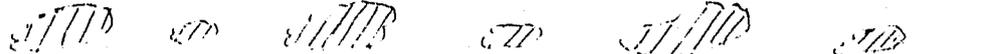
ABUTMENT OR WALL: 

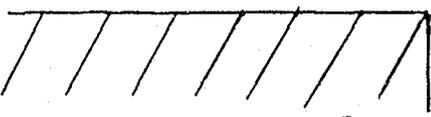
RAILROAD TRACK: 

STREETCAR TRACK: 

PROPERTY LINE: 

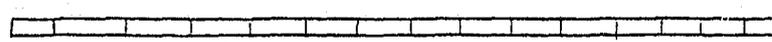
TREE: 

SHRUBS: 

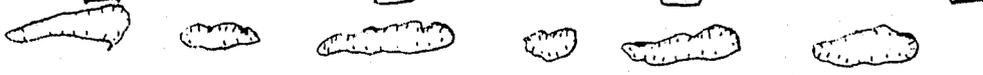
BUILDING, VIEW OBSTRUCTION: 

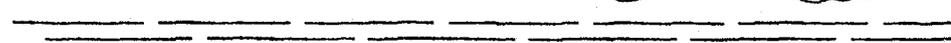
UTILITY POLES: 

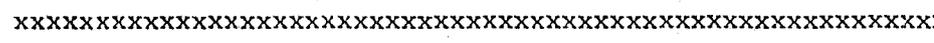
STREET LIGHTS: 

DRAIN OUTLET OR INLET: 

HYDRANT: 

FURROW: 

SKID MARKS: 

TIRE PRINTS: 

similar information for 1964 and 1965 are shown below:

	<u>1964</u>	<u>1965</u>	<u>1966</u>
Deaths	2,122	2,129	2,296
Injuries	144,623	155,258	156,694
Accidents	284,444	310,598	302,880
Motor Vehicles*	3,860,791	4,066,826	4,133,199
Drivers	4,369,477	4,540,367	
Mileage (Millions)**	38,617.6	40,856.4	43,940.1
Deaths (Per 100 Million Vehicle Miles)	5.5	5.2	5.2
Estimated Cost (Millions of Dollars)	\$370	\$385	\$415

\*Excluding trailers and trailer coaches; \*\*Deaths per 100 million miles of travel.

NOTE: Total accidents would have been substantially higher if all occurring had been reported.

2. Accident and exposure trends - In recent years, 1956 through 1966, total casualties have shown a much greater percentage increase than have exposure factors.
  - a. The death rate per 100 million vehicle miles generally has shown a downward trend except for occasional upward reversals such as occurred in 1963 and 1964. The lowest mileage death rate in the past thirty years was 4.6 in 1962, while the highest was 15.9 in 1937.
  - b. During the intervening years, many thousands of lives have been saved as a result of the reduction in the mileage death rate. For example, in 1966 alone, had the 1937 death rate of 15.9 prevailed, there could have been 6,980 persons killed, or more than three times the number who actually died as a result of traffic accidents.
  - c. Some of the many factors contributing to the reduction in the mileage death rate can be related to the driver, highway, motor vehicle, or other special environmental conditions, sometimes to the combination of each.

CONTRIBUTING FACTORS IN TRAFFIC ACCIDENTS, 1966

<u>VIOLATIONS</u>	<u>ALL ACCIDENTS</u>		<u>FATAL ACCIDENTS</u>		<u>INJURY ACCIDENTS</u>	
	Number	% of Total	Number	% of Total	Number	% of Total
Speed too fast	64,343	21.0	818	37.7	25,966	25.1
Failed to yield ROW	59,211	19.3	264	12.2	19,023	18.4
Drove left of center	11,318	3.7	214	9.9	3,802	3.7
Improper overtaking	10,629	3.5	62	2.8	2,186	2.1
Passed stop sign	6,111	2.0	76	3.5	2,532	2.5
Disregarded signal	9,370	3.1	75	3.5	4,997	4.8
Followed too closely	30,799	10.0	15	.7	11,728	11.4
Made improper turn	16,506	5.4	19	.8	3,440	3.3
Improper or no signal	57,959	18.9	113	5.2	12,404	12.0
Improper parking	3,189	1.0	22	1.0	1,213	1.2
Improper lights	1,222	.4	8	.4	439	.4
Had been drinking	35,690	11.7	484	22.3	15,578	15.1
<b>TOTAL:</b>	<b>306,347</b>	<b>100.0</b>	<b>2,170</b>	<b>100.0</b>	<b>103,308</b>	<b>100.0</b>

- d. Routine investigation and research, however, continue to indicate that driver failure is the greatest contributing cause of accidents and a high per cent of the total involve driver violations, as shown in the chart on the following page.
- e. Other common driver shortcomings contributing to accidents include: Lack of skill, lack of knowledge, irresponsible attitude, inattention, fatigue, physical disabilities, failure to compensate for the mistakes of other drivers and pedestrians.
- f. Drivers in the combined age group, 15-24, represent 23.1 per cent of the driver population, but they are involved in 34.5 per cent of all accidents and 33.3 per cent of all fatal accidents. Comparison with the other ten-year groupings only re-emphasizes their high risk position.
- g. Yet, the possibility of reducing accidents through driver education and improvement are tremendous.
  - 1) This is substantiated by the records of some professional and other drivers who travel many hundreds of thousands of miles (sometimes well over a million) without becoming involved in an accident or receiving a violation notice.
  - 2) These excellent records are achieved even though such drivers accumulate their mileage on all kinds of highways, during all kinds of weather, and under the same varying traffic conditions confronting all other motorists.
- h. Current research indicates that vehicle defects and highway deficiencies contribute substantially more to accidents than revealed by routine investigation. Such action is important, but a well-rounded program is needed, including much greater emphasis on the training, supervision of the ordinary driver, and on driver licensing administration phases of the Highway Safety Action Program.
  - 1) The current record again emphasizes the urgent need to greatly accelerate accident prevention activity if it is to keep pace with increasing traffic demands.

- 2) Investigation and research undoubtedly will find new and better ways to control the traffic problem, and the Action program provides a good blueprint for approaching it when adequately and properly implemented.
- 3) Fortunately, much greater concern is being registered in regard to many aspects of the problem, and it is hoped that action now being taken and planned by local, state and federal jurisdictions will reverse current accident trends.

i. Approximately two out of every three deaths in 1966 occurred in places classified as rural, in urban areas, one-third of the victims were pedestrians and in rural areas 90 per cent of the victims were occupants of motor vehicles. Fifty-five per cent of all deaths occurred in night accidents.

3. Registration of motor vehicles.

- a. There was one motor vehicle registered in Michigan during 1966 for each two persons residing in the state. Total motor vehicle registrations, excluding trailers and trailer coaches, climbed to 4,133,199, a new high, and 1.6 per cent increase over 1965.
- b. A breakdown of the type of vehicles registered is as follows:

<u>TYPE</u>	<u>REGISTRATIONS</u>	<u>PER CENT CHANGE</u> <u>1965-1966</u>
Passenger Cars	3,496,179	+ .5
Commercial Vehicles	468,019	+ 6.5
Farm Vehicles	34,308	- 10.3
Motorcycles	81,136	+ 24.9
Municipal Vehicles	53,557	+ 22.6
<b>TOTAL:</b>	<b>4,133,199</b>	<b>+ 1.6</b>

- c. Trailer registrations for 1966 totaled 392,511, a 5.8 per cent increase over 1965. Trailer coach registrations for 1966 totaled 50,657, a 21.2 per cent increase over 1965.
- d. Three counties, Wayne, Oakland and Macomb, accounted for 46 per cent of the state's total registrations, the same as 1965.

4. Locations and deaths and injuries.

- a. There were 1,548 rural and 748 urban deaths in 1966, compared with 1965; rural deaths increased 8 per cent, injuries increased 4.8 per cent, and total accidents increased 6.3 per cent as compared with 1965.
- b. Rural areas accounted for 29 per cent of all accidents and for 67 per cent of all traffic deaths. Urban areas accounted for 71 per cent of all accidents and for 33 per cent of all traffic deaths.
- c. Likewise, there have been slight changes in the distribution of deaths, injuries and accident by general highway type in rural and urban areas during the past five years, 1962-1966, as shown in Table A on the following page.
- d. Nevertheless, when 1966 is compared with 1965, there was some substantial percentage changes as summarized and qualified in Table B on the following page.
- e. Death distributions for selected areas of the state remained about the same as recent years - 89 per cent in the 41 counties south of the Oceana-Bay County Line, 8 per cent in the remaining 27 counties in the Lower Peninsula north of the above designated line, and 3 per cent in the Upper Peninsula.
  - 1) These percentages relate quite closely to the percentage distribution of registered motor vehicles for the three areas, except the death per cent ratio for the upper part of the Lower Peninsula is somewhat higher than the 5 per cent of the cars accounted for by this area.
  - 2) As a result, the 27 counties had the highest death rate per 10,000 registered vehicles and the 1965 death increase in this area more than offset decreases in the other two areas. This high death rate and increase no doubt can be attributed largely to the sharp increase in recreational traffic passing through these areas.

TABLE A

	DEATHS		INJURIES		ACCIDENTS	
	COUNTY AND TRUNK LINES LOCAL ROADS		COUNTY AND TRUNK LINES LOCAL ROADS		COUNTY AND TRUNK LINES LOCAL ROADS	
1962	1104	470	39,509	68,634	59,285	173,973
1963	1293	594	45,460	81,436	65,662	196,131
1964	1424	698	51,795	92,828	73,493	210,951
1965	1428	708	56,033	99,225	82,507	228,091
1966	1548	748	58,711	97,983	87,708	215,172

TABLE B

CLASSIFICATION	Per Day	DURING 1966		YEARLY COMPARISONS		CHANGE 65-66
		Per Week	Per Month	1965	1966	
Traffic Deaths	6.3	44	191	2,136	2,296	+7.5
Injuries	429	3,013	13,058	155,258	156,694	+1.0
Accidents	830	5,825	25,240	310,598	302,880	-2.5
Cost of Accidents	1,136,986	7,980,769	34,583,333	385,000,000	415,000,000	+7.8
Drivers Involved	1,433	10,061	43,597	537,335	523,164	-3.6
Vehicles Involved	1,536	10,780	46,715	574,606	560,576	-2.4

- 3) Traffic deaths were heavily concentrated in the Detroit Metropolitan area. This might be expected because of the density of the population and high percentage of the total registrations in this area.

5. Time of accidents.

- a. Many factors contribute to variations of the frequency, type and severity of accidents by hours of day and day of week. These include traffic density, kind of traffic (vehicles and pedestrians), kind of highway, travel speed, visibility, attention, fatigue, incidence of alcohol, and weather and road conditions, to name only a few.
- b. Generally, however, the time patterns for all accidents change little from year to year, since they seem to be influenced so much by the amount of traffic generated by work, social and recreational habits of motorists and pedestrians.
- c. The following tabulation shows the percentage of fatal accidents by primary type for four years' combined experience, 1963-1966.

<u>PERSONS KILLED, BY TYPE</u>	<u>1963</u>	<u>1964</u>	<u>1965</u>	<u>1966</u>
Ran off Road	413	519	507	517
Overtuned on Road	36	46	42	34
Collision of Motor Vehicle with:				
Pedestrian	330	376	370	386
Motor Vehicle in Traffic	827	927	936	1,034
Parked Motor Vehicle	27	25	25	21
Railroad Train	75	51	74	80
Bicyclists	31	38	40	43
Animal	2	3	2	2
Fixed Object	130	122	103	159
Other Object	4	7	10	2
Other Non-Collision	12	8	27	18
<b>TOTALS:</b>	<b>1,887</b>	<b>2,122</b>	<b>2,136</b>	<b>2,296</b>

- d. Invariably, the fatal accidents' rate in relation to traffic is much higher during the hours of darkness and this is especially true of accidents involving running off the road, or collisions with fixed objects, and are the type of fatal accidents which generally reach their peak in the hours just before and after midnight.
  - e. Excluding pedestrian accidents, the worst single hour for all other fatal accidents is between 2 a.m. and 3 a.m. This is the hour following the normal legal closing time for places selling intoxicating liquor.
  - f. Approximately two out of every three deaths in 1966 occurred in places classified as rural. In urban areas, one-third of the victims were pedestrians and in rural areas 90 per cent of the victims were occupants of motor vehicles. Fifty-five per cent of all deaths occurred in night accidents.
6. Drinking and accidents.
- a. Drinking is a factor in 29 per cent of fatal accidents but may be a factor in as many as half of the fatal accidents, according to special studies which have been designed to determine the blood-alcohol level of drivers and pedestrians involved in accidents.
  - b. Routine accident reports indicate a lower incidence of drinking among drivers in accidents than do special studies. It is believed that in such reports the importance of drinking is partially obscured by differences in the interpretation of drinking and its contribution as an accident cause and by differences in the completeness and thoroughness of accident investigation and reporting.
  - c. According to one study under way in California, continuing analysis of victims in motor vehicle accidents shows well over half of fatally injured drivers had been drinking. Among responsible drivers, two-thirds had been drinking, and in one-car accidents in this group, seven out of ten had been drinking. In contrast, in those

accidents in which drivers were not responsible for the accidents, less than one out of five had been drinking.

DRINKING IN ACCIDENTS	FATAL	PER CENT	NON-FATAL	PER CENT
Had been drinking	568	28.9	9,981	22.7
Had not been drinking	642	32.6	29,822	67.9
Not stated	757	38.5	4,110	9.4
TOTALS	1,967	100.0	43,913	100.0

7. Holidays and accidents. The following table shows the traffic death tolls in Michigan for the period 1963-1966 for the five major holiday weekend.

	<u>RURAL</u>	<u>URBAN</u>	<u>TOTAL</u>
Memorial Day			
1966	34	9	43
1965	17	10	27
1964	16	8	24
1963	19	5	24
Fourth of July			
1966	26	2	28
1965	18	5	23
1964	33	10	43
1963	20	18	38
Labor Day			
1966	32	7	39
1965	15	10	25
1964	18	8	26
1963	33	2	35
Christmas			
1966	18	12	30
1965	26	11	37
1964	26	12	38
1963	8	9	17
New Years			
1966	20	6	26
1965	19	14	33
1964	18	4	22
1963	13	3	16

The worst single month for traffic deaths in 1966 was October, with 221, and October still has the highest average for any month during the thirty-three year period.

- a. Of the five major holidays, average daily deaths were highest on Labor Day weekends with 9.3 deaths per day. The next highest average daily death tolls were on the Christmas weekends with 8.7 followed by the Fourth of July with 8.6 deaths per day.
  - b. Based on 1966 experience, the average daily deaths were highest on Memorial Day weekend with 13.2 deaths per days, followed by Labor Day with 12.
  - c. The probably death toll on any 54 hour weekend, Friday 6 p.m. to Sunday, midnight, in 1966 was 9.2 deaths per day. The death average toll for each day of 1966 amounted to 6.3 persons.
  - d. From prior experience, it is evident that "Death Takes No Holiday" on Michigan highways; every day has its share of traffic tragedies.
8. Motorcycles, motorbikes and accident statistics.

- a. There was a sharp increase in the number of motorcycles in accidents in 1966 over 1965, as well as in the number of registered motorcycles. However, the percentage increase in accidents was much greater than the percentage increase in registrations as shown in the following tabulation, which covers the period 1963-1966.

	1963	1964	1965	1966
Registration	31,212	39,041	64,948	81,136
Deaths	35	51	64	104
Death Rate*	11.3%	13.1%	9.8%	12.8%
Estimated Mileage**	93,636	117,123	194,844	243,408
Death Rate	37.4%	43.5%	32.8%	42.7%

\* Based on 10,000 cycle registration

\*\* Based on 3,000 miles per cycle.

- b. Since 1963, the number of motorcycles in the state has been increasing at a rapid pace, as shown in the table above. Compared with an 18 per cent increase in the total motor vehicles between 1962 and 1966, the number of motorcycles increased 179 per cent.
- c. Deaths of motorcycle riders have increased at a more accelerated rate than have the number of motorcycles over the entire five year period,

1962 through 1966, the number of deaths having increased 247 per cent, while deaths from all motor vehicles increased 46 per cent during the same period.

- d. Based on deaths per 10,000 registrations for the five year period, the average mortality rate for motorcycles is 11.5, while deaths for all motor vehicles is 5.2 per 10,000 registered.
  - e. There are no accurate mileage figures for motorcycles but estimates range from 3,000 to 5,000 miles per year for personal cycles. Such figures indicate that the mileage death rate, based on rider deaths only, may range between 19.7 and 43.5 (deaths per 100 million vehicle miles of travel). This can be compared with the 1966 death rate for all motor vehicles of 5.2, which includes pedestrian and other non-occupant deaths as well as occupant deaths.
  - f. Records indicate that motorcycle riders are much more likely to suffer injury in accidents than occupants of other vehicles. It is also probable that the motorcycle involvement rate in accidents per mile of travel is substantially greater than for the other vehicles, although comparative mileage data for different classes of vehicles is not available.
9. Drivers and their roles in accidents.
- a. As previously reported, most accidents result from several cases, direct and indirect. These generally can be related to the driver, the highway, the motor car and other special environmental conditions, sometimes to each.
  - b. Routine investigation and research, however, continue to indicate that driver failure is the greatest contributing cause of accidents and a high percentage involve driver violations. In 1966, more than three out of four, or 77 per cent, of the fatal accidents in Michigan involved one or more drivers who were violating some traffic law when the accident occurred and the most common contributing violations reported included:

- 1) Speed too fast for conditions or in excess of established limits
  - 2) Failed to yield right of way.
  - 3) Drove left of center.
  - 4) Disregarded stop sign or signal.
  - 5) Drove while under the influence of intoxicating liquor.
  - 6) Improper passing.
- c. Differences in roadside development, street and highway design, kind and amount of traffic and traffic controls are some of the factors which cause the distribution of traffic violations to vary between rural and urban areas.
- d. Other common driver shortcomings contributing to accidents include lack of skill, lack of knowledge, irresponsible attitude, inattention, fatigue, physical disabilities, and failure to compensate for the mistakes of other drivers and pedestrians.
- e. Current research likewise indicates that vehicle defects and highway deficiencies contribute substantially more to accidents than revealed by routine investigation.
- 1) As a result, much greater attention is being given to three phases of the problem. Such action is important.
  - 2) But a well-rounded program is needed, including much greater emphasis on the training and supervision of the ordinary driver, on driver licensing, administration and on other phases of the Highway Safety Action Program.
- f. There is substantial evidence that most accidents are caused by ordinary drivers who manage to stay out of trouble most of the time, but occasionally become involved through some driving error and the combination of circumstances at a given time and place.

- g. The possibilities of reducing accidents through driver improvement are tremendous.
- 1) This is substantiated by the records of some professional and other drivers who travel many hundreds of thousands of miles (sometimes well over a million) without becoming involved in an accident or receiving a traffic violation notice.
  - 2) These excellent records are achieved even though such drivers accumulate their mileage on all kinds of weather and under the same varying traffic conditions confronting other motorists.
10. Vehicle defects. The present method of accident investigation does not permit an in-depth examination of the vehicle after the accident. Because of the damaged condition of the vehicle, there is no positive way to determine if the vehicle was defective before the accident or that the defect was created as a result of the accident.
- a. According to the latest study report and plan for periodic motor vehicle inspection prepared by the Highway Traffic Safety Center, Michigan State University, conducting inspection as part of their accident prevention programs consistently report deficiencies that must be corrected in from 30 to 60 per cent of the vehicles inspected.
  - b. Data compiled for the Michigan Association of Chiefs of Police by the Highway Traffic Safety Center between November 11, 1966 and December 18, 1966, showed that of a sampling of 2,070 vehicles stopped, 58.7 per cent of the vehicles had a defect.
  - c. The above data compared very favorably with the first statistical report made as a result of vehicles stopped in the vehicle check lanes. Of 3,226 vehicles inspected, 59 per cent were found with defects. The defects noted that could result in an accident were as follows:
    - 1) Thirty-three per cent had defective tires.
    - 2) Six per cent had defective tail lights.

- 3) Eight per cent had defective stop lights.
  - 4) Twelve per cent had defective rear turn signal indicators.
  - 5) Four per cent had defective steering.
  - 6) Three per cent had defective brakes.
- d. There should be no question that many accidents that are reported as "ran off roadway" or "failed to stop" in the assured clear distance ahead could be avoided if the above defects could be corrected.

## BIBLIOGRAPHY

- Allingham, William K. The Effectiveness of Education and Enforcement in Promoting Traffic Safety. 1961.
- Baker, J. S. Traffic Accident Investigator's Manual for Police. 4th ed., 1963, Northwestern University Press, Evanston, Ill.
- Edie, Leslie C., et al. Vehicular Traffic Science. New York: American Elsevier, 1966.
- Isaacson, Irving. Manual for the Traffic Officer. Wellington, New Zealand: Legal Publications, 1964.
- Marlowe, Anthony. Major Problems of the Accident Officer with Special Reference to Speed Control, Driver Emotions, and Driver Intoxication as Accident Factors. 1961.
- Porter, George. Emotions and Traffic Accidents. 1963.
- Southwestern Law Enforcement Institute. Traffic Law Enforcement: A Guide for Patrolmen. Springfield, Illinois: Thomas, 1963.
- Williams, Charles A. Traffic Accidents. Springfield, Illinois: Thomas, 1954.

**END**

