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Sheriff

# HARFORD COUNTY SHERIFF'S OFFICE ADMINISTRATIVE POLICY

## Crash Preventability

<b>Distribution:</b>	<b>All Personnel</b>		<b>Policy Number:</b>	<b>ADM 0604</b>	
<b>Responsible Unit:</b>	<b>Traffic Unit</b>		<b>Rescinds:</b>	<b>ADM 0604 (dated 10/1/16)</b>	
<b>Original Issued Date:</b>	<b>03/14/22</b>	<b>Revision #:</b>	<b>1</b>	<b>Latest Revision Date:</b>	<b>12/19/25</b>
<b>Latest 3-year Review Was Completed:</b>	<b>04/01/25</b>		<b>Next Review Due:</b>	<b>04/30/28</b>	

### 1. Purpose

To provide Harford County Sheriff's Office (HCSO) personnel with a reference to determine crash preventability.

### 2. Policy

Supervisors and Division Commanders of the Harford County Sheriff's Office (HCSO) will evaluate each Agency vehicle crash to determine preventability using the guidelines established by the Harford County Sheriff's Office.

### 3. Definitions

**PREVENTABLE CRASH:** according to The U.S. Department of Transportation Federal Motor Carrier Safety Administration, a Preventable Crash is defined as one which occurs because the driver fails to act in a reasonably expected manner to prevent it. If a driver, who exercises normal judgment and foresight could have foreseen the possibility of the accident (crash) that in fact occurred, and avoided it by taking steps within their control which would not have risked casualty or damage to other persons or property, such an accident (crash) is considered preventable.

**DEFENSIVE DRIVER:** one who commits no driving errors himself and makes all reasonable allowances for the lack of skill or improper driving practice of the other driver. A Defensive Driver adjusts driving to compensate for unusual weather, road, and traffic conditions, and is not tricked into a crash by the unsafe actions of pedestrians and other drivers. By being alert to crash inducing situations, a defensive driver recognizes the need for preventative action in advance and takes the necessary precaution to prevent the crash. A Defensive Driver knows when it is necessary to slow down, stop, or yield his right-of-way to avoid involvement.

### 4. Procedures

- A. The first line supervisor of an employee involved in a vehicle crash will make a first determination if the crash was preventable and make a recommendation as to any disciplinary action and/or other corrective actions.
  - 1. If disciplinary action is recommended, the supervisor should refer to the Statewide Police Disciplinary Matrix (PER 0216).

- B. The recommendations of the first line supervisor will be routed and endorsed through the respective chain of command to the Chief Deputy who will make the final determinations as to crash preventability and appropriateness of disciplinary action and/or other corrective actions.
- C. Crash preventability determinations must be consistent with the Agency's Preventable Crash Guidelines.
- D. When discipline is imposed for a preventable crash involving a law enforcement deputy, the Chief Deputy will refer to the Penalty Assessment Matrix Law Enforcement Deputies (PER-0216) as a guide to determine the appropriate discipline.
- E. When discipline is imposed for a preventable crash involving a non-law enforcement agency member, the Chief Deputy will refer to the Penalty Assessment Matrix (PER-0207) as a guide to determine the appropriate discipline.

## 5. Preventable Crash Guidelines

### A. Intersections:

It is the responsibility of Agency vehicle drivers to approach, enter and cross intersections prepared to avoid crashes that might occur through the action of other drivers. Complex traffic movement, blind intersections, or failure of the "other driver" to conform to laws or traffic control devices will not automatically discharge a crash as "not preventable."

### B. Vehicle Ahead:

Regardless of the abrupt or unexpected stop of the vehicle ahead, your driver can prevent front-end collisions by maintaining a safe following distance at all times. A safe following distance is one that allows the driver sufficient time, distance, and vision requirements to avoid a crash to reduce traffic conflict. This includes being prepared for possible obstructions on the highway, either in plain view or hidden by the crest of a curve of a roadway. Overdriving headlights at night is a common cause of front-end collisions.

### C. Struck from Behind:

Investigation often discloses that drivers risk being struck from behind by failing to maintain a margin of safety in their own following distance. Rear-end collisions preceded by a roll-back, an abrupt stop at a grade crossing, when a traffic signal changes, or when your driver fails to signal at a turn at an intersection, should be charged "preventable." Failure to signal intentions or to slow down gradually should be considered "preventable."

### D. Passing:

Failure to pass safely indicates faulty judgment and the possible failure to consider one or more of the important factors a driver must observe attempting the maneuver. Unusual actions of the driver being passed or of oncoming traffic might exonerate a driver involved in a passing crash; however, the entire passing maneuver is voluntary and the driver's responsibility.

### E. Being Passed:

Sideswipes and cut-offs involving a driver, while he is being passed, are preventable when he fails to yield to the passing vehicle by slowing down, moving to a right where possible, or maintaining speed, whichever action is appropriate.

F. Oncoming:

It is extremely important to check the action of the Agency driver when involved in a head-on or sideswipe crash with a vehicle approaching from the opposite direction. The exact location of a vehicle, prior to and at the area of impact, must be carefully verified. Even though an opposing vehicle enters your driver's traffic lane, it may be possible for your driver to avoid the collision. For example, if the opposing vehicle was in a passing maneuver and your driver failed to slow down, stop, or move to the right to allow the vehicle to re-enter his lane, he has failed to take action to prevent the occurrence. Failing to signal the opposing driver in an appropriate manner should also be considered.

G. Fixed Objects:

Typically, collisions with fixed objects are preventable. They usually involve failure to check or properly judge clearances. New routes, strange delivery points, resurfaced pavements under viaducts, inclined entrances to docks, marquees projecting over traveled section of road, and similar situations are not, in themselves, valid reasons for excusing a driver from being involved. An Agency driver must be constantly on the lookout for such conditions and make necessary allowances relative to speed and vehicle positioning.

H. Pedestrians:

Traffic regulations and court decisions generally favor the pedestrian hit by a moving vehicle. An unusual route of a pedestrian at mid-block or from between parked vehicles does not necessarily relieve a driver from taking precautions to prevent such crashes. Whether speed limits are posted, or the area is placarded with warning signs, speed too fast for conditions may be involved. School zones, shopping areas, residential streets, and other areas with special pedestrian traffic must be traveled at reduced speeds equal to the particular situation. Bicycles, motor scooters, and similar equipment frequently are operated by young and inexperienced persons. The driver who fails to reduce his speed when this type of equipment is operated within his sight distance has failed to take necessary precautions to prevent a crash. Keeping within posted speed limits is not taking the proper precaution when unusual conditions call for voluntary reduction of speed.

I. Private Property:

When a driver is expected to enter unusual locations, construction sites, etc., or driveways not built to support heavy commercial vehicles, it is the driver's responsibility to discuss the operation with the proper authorities and to obtain permission prior to entering the area.

J. Passenger Crash:

Passenger crashes in any type of vehicle are preventable when they are caused by faulty operation of the vehicle. Even though the incident did not involve a collision of the vehicle, it must be considered preventable when your driver stops, turns or accelerates abruptly. Emergency action by the Agency driver to avoid a collision that results in passenger injury should be checked if proper driving prior to the emergency would have eliminated the need for the evasive maneuver. The driver is responsible for the utilization of passenger restraint devices.

K. Non-Collision:

Many crashes, such as overturning, jack-knifing, or running off the road, may result from emergency action by the driver to preclude being involved in a crash. Examination of his driving procedure prior to the incident may reveal speed too fast for conditions, or other factors. The Agency driver's action prior to involvement should be examined for possible errors or lack of defensive driving practice.

L. Miscellaneous:

Projecting loads, loose objects falling from the vehicle, loose tarpaulins, or chains, doors swinging open, etc., resulting in damage to the vehicle, cargo, or other property or injury to persons, are preventable when the driver's action or failure to secure them are evidenced. Cargo damage, resulting from unsafe vehicle operation is preventable by Agency drivers.

M. Parking:

Unconventional parking locations, including double-parking, failure to put out warning devices, etc., generally constitute evidence for judging a crash preventable. Rollaway crashes from a parked position normally should be classified preventable. This includes unauthorized entry into an unlocked, unattended vehicle, failure to properly block wheels, or to turn wheels toward a curb to prevent vehicle movement.

N. Backing:

A driver is not relieved of his responsibility to back safely when a guide is involved in the maneuver. A guide cannot control the movement of the vehicle; therefore, a driver must check all clearances.

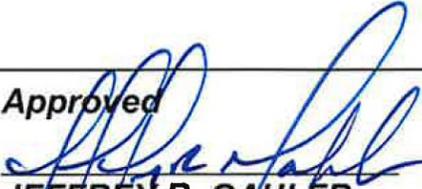
## 6. Summary of Changes

A. On 04/01/25 the scheduled 3-year policy review was conducted, and no changes were made.

B. On 12/19/25 the following edits and additions were made under Section 4: Procedures:

1. Section 4.A Procedures: "The first line supervisor of an employee involved in a vehicle crash will make a first determination if the crash was preventable and make a recommendation as to any disciplinary action and/or other corrective actions."
2. Section 4.A.1 Procedures: "If disciplinary action is recommended, the supervisor should refer to the Statewide Police Disciplinary Matrix (PER 0216)."
3. Section 4.B Procedures: "The recommendations of the first line supervisor will be routed and endorsed through the respective chain of command to the Chief Deputy who will make the final determinations as to crash preventability and appropriateness of disciplinary action and/or other corrective actions."

4. **Section 4.D Procedures:** "When discipline is imposed for a preventable crash involving a law enforcement deputy, the Chief Deputy will refer to the Penalty Assessment Matrix Law Enforcement Deputies (PER-0216) as a guide to determine the appropriate discipline."
5. **Section 4.E Procedures:** "When discipline is imposed for a preventable crash involving a non-law enforcement agency member, the Chief Deputy will refer to the Penalty Assessment Matrix (PER-0207) as a guide to determine the appropriate discipline."

Approved  
  
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DATE 2/6/26