



# 07-02 Fail to Remain Collisions

**Status:** Amended

**Issued:** 2023.12.22

**Replaces:** 2020.01.03

## Rationale

The *Highway Traffic Act (HTA)* defines circumstances where fail to remain collisions are reportable and has developed provincial forms to be submitted. This procedure establishes the criteria, responsibility and process for investigating collisions in accordance with the *HTA*, *the Adequacy and Effectiveness Standards Regulation of the Police Services Act* and the best practices for the Service.

## Procedure

Traffic Services personnel are responsible for investigating fail to remain collisions in cases where

- there are fatalities
- injuries are life threatening
- the occurrence remains unsolved after 48 hours of being reported
- the collision occurs on an expressway

Primary Response Unit (PRU) Divisional Traffic Support may assist with fail to remain collisions in cases where

- injuries are not life threatening
- collision does not occur on an expressway

If an officer is not required to conduct an “at scene” investigation as determined by the criteria contained in Procedure 07–01, any person reporting a fail to remain collision shall be directed to the most convenient Collision Reporting Center (CRC).

A TPS 334 must be submitted for all unsolved fail to remain investigations and submitted to Traffic Services – Investigative Services within 48 hours of the initial report. The only exception is when the fail to remain investigation is solved within 48 hours with all involved vehicles and drivers identified.

### Police Officer

1. When investigating a fail to remain collision shall
  - comply with Procedures 07–01
  - collect evidence in compliance with Procedure 04–21
  - notify the Communications Operator – Communications Services of the description, number plate, direction of travel, damage to suspect vehicle and description of the driver, if available
  - in cases involving life threatening injuries or fatalities
    - protect the scene
    - comply with Procedure 07–03

- interview any witnesses
  - complete
    - a TPS 334 except in those instances where the collision was reported at a CRC
    - the applicable eReports forthwith, selecting Yes for the BOLO option
- ➔ *Records Management Services – Operations (RMS – Ops) will create and post a BOLO.*

### Officer in Charge

2. Upon receipt of any relevant reports shall ensure any report for a fail to remain collision, where the investigation has not been completed within 48 hours of the occurrence being reported, is forwarded to Traffic Services.

### Officer in Charge – Traffic Services

3. Upon receipt of any relevant reports shall ensure the pertinent information is recorded on the Central Accident Registry System (CARS).

## Supplementary Information

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### Governing Authorities

**Provincial:** Highway Traffic Act; Police Services Act, O. Reg 3/99, Adequacy & Effectiveness of Police Services of the Police Services Act.

### Associated Governance

**TPSB Policies:** Adequacy Standards Compliance Policy Part 5 XLIV LE-017 Traffic Management, Traffic Law Enforcement and Road Safety.

**TPS Procedures:** 04–21 Gathering/Preserving Evidence; 07–01 Transportation Collisions; 07–03 Life Threatening Injury/Fatal Collisions; 17–07 BOLOs and FYIs.

**Forms:**

- eReports;
- TPS 327 Collision Reporting Centre (CRC) Referral Form;
- TPS 331 Collision Field Notes: Cover;
- TPS 332 Collision Field Notes: Involved Persons;
- TPS 334 Fail to Remain Report;
- TPS 335 Collision Field Notes: Witnesses/Supplementary;
- TPS 341 Vehicle Mechanical Examination Request;
- TPS 344 Municipal Damage Report;
- SRLD401 Motor Vehicle Collision Report;
- SRLD418 Self–Reporting Collision Report.

➔ *The TPS 334 and TPS 344 are available as text templates.*

- *The SRLD401 shall be completed using the Versadex built-in electronic eMVA xForm and Quickscape diagramming applications. As of 2014.07.01, the MTO will no longer accept hardcopy or scanned SRLD401 reports.*

**Other:** Toronto Police Service Traffic Management, Traffic Law Enforcement and Road Safety Plan.

## Definitions

For the purposes of this Procedure, the following definitions will apply:

**Reportable Collision** means every person operating a motor vehicle or streetcar involved directly or indirectly in a collision that results in personal injury, death, or property damage exceeding \$2000, is required to report and furnish information forthwith to the nearest police officer in accordance with the *Highway Traffic Act*.

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