

4501-31-01

Reports of motor vehicle accidents.

[Comment: All materials incorporated by reference are available at [http://ohiohighwaysafetyoffice.ohio.gov/otso law enforcement info.stm](http://ohiohighwaysafetyoffice.ohio.gov/otso%20law%20enforcement%20info.stm)]

(A) Pursuant to section 5502.11 of the Revised Code, every law enforcement agency representing a township, county, municipal corporation, or other political subdivision investigating a motor vehicle accident shall, within five days, forward a ~~written~~ report of such accident to the director of public safety on a ~~form which the director shall prescribe in accordance with this rule. The report shall be known as the "Ohio traffic crash report" and shall be assigned~~ form number "OH-1." The OH-1 form is made up of the following as applicable:

(1) "HSY 7001, OH-1 Traffic Crash Report Page" (12/2013);

(2) "HSY 8304, OH-1 Unit Page" (3/2014);

(3) "HSY 8306, OH-1 Motorist/Non-Motorist/Occupant Page" (8/2013); and

(4) "HSY 8355, OH-1 Occupant/Witness Addendum" (7/2015).

(B) As used in this rule:

(1) "Accident" means a happening that is not expected, foreseen, or intended, sometimes resulting from negligence, that results in a fatality, personal injury, or property damage;

(2) "Motor vehicle accident" or "traffic crash" means any accident arising from the operation or use of a motor vehicle involving a fatality, any personal injury, or property damage in an amount not less than the amount specified in section 5502.11 of the Revised Code, but does not include an accident occurring on private property nor any fatality, personal injury, or property damage directly caused by intentional assault, by theft, by the discharge of a firearm or explosive device, or by natural disaster;

(3) "Investigating" a motor vehicle accident or traffic crash means the personal observation of the motor vehicles and crash scene by any trooper of the Ohio highway patrol or law enforcement officer of any township, county, municipal corporation, or other political subdivision and, if no trooper or other law enforcement officer is available to observe the crash scene, may include the preparation of an Ohio traffic crash report by a trooper or law enforcement officer based upon reliable information provided by persons who were involved in or witnessed the traffic crash.

(C) The director of public safety shall prescribe, and may from time to time amend, the

form and contents of the Ohio traffic crash report. In prescribing and amending the crash report, the director shall, to the fullest practical extent, do all of the following:

- (1) Include all necessary elements to insure the accurate reporting of all relevant causes and conditions relating to the crash and the persons, motor vehicles, and other property involved in the crash;
 - (2) Consider and incorporate any applicable federal standards;
 - (3) Design the form and provide instructions and a procedure manual, "HSY 7010" (10/13/2011) in a manner to facilitate clarity and ease of use; and
 - (4) Consider suggestions submitted by any person for the addition, deletion, or amendment of any information in the crash report.
- (D) The registrar of motor vehicles shall prescribe whatever forms may be necessary to report motor vehicle accidents to the bureau of motor vehicles for financial responsibility purposes pursuant to Chapter 4509. of the Revised Code. In doing so, the registrar may authorize the use of a copy of the Ohio traffic crash report as part of the reporting requirement or may prescribe other forms.

Effective:

Five Year Review (FYR) Dates: 03/08/2017

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 5502.011, 5502.11
Rule Amplifies: 5502.11
Prior Effective Dates: 07/24/81, 07/01/00, 12/05/02