

TEXAS TRANSPORTATION COMMISSION

ALL Counties

MINUTE ORDER

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ALL Districts

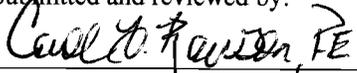
The Texas Transportation Commission (commission) finds it necessary to adopt amendments to §25.977 relating to reporting by investigating officers, to be codified under Title 43, Texas Administrative Code, Part 1.

The preamble and the adopted amendments, attached to this minute order as Exhibits A and B, are incorporated by reference as though set forth verbatim in this minute order, except that they are subject to technical corrections and revisions, approved by the General Counsel, necessary for compliance with state or federal law or for acceptance by the Secretary of State for filing and publication in the *Texas Register*.

IT IS THEREFORE ORDERED by the commission that the amendments to §25.977 are adopted and are authorized for filing with the Office of the Secretary of State.

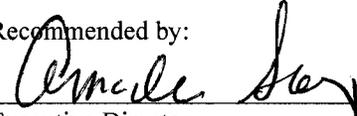
The executive director is directed to take the necessary steps to implement the actions as ordered in this minute order, pursuant to the requirements of the Administrative Procedure Act, Government Code, Chapter 2001.

Submitted and reviewed by:



Director, Traffic Operations Division

Recommended by:



Executive Director

112687 MAY 26 | 1

Minute
Number

Date
Passed

1 Adoption Preamble

2 The Texas Department of Transportation (department) adopts
3 amendments to §25.977, concerning reporting of motor vehicle
4 crashes by investigating officers. The amendments to §25.977
5 are adopted without changes to the proposed text as published in
6 the February 11, 2011 issue of the *Texas Register* (36 TexReg
7 757) and will not be republished.

8

9 EXPLANATION OF ADOPTED AMENDMENTS

10 Law enforcement officers who investigate motor vehicle crashes
11 are required by Transportation Code, §550.062 to submit a crash
12 report to the department within 10 days of the crash on a form
13 prescribed by the department if the crash resulted in injury to
14 or death of a person or \$1,000 or more of property damage. The
15 form used for the report is referred to as the Texas Peace
16 Officer's Crash Report, or more commonly as the CR-3.

17

18 Under the revisions to §25.977, Reporting by Investigating
19 Officers, the Texas Transportation Commission (commission)
20 adopts a second version of the Form CR-3 by reference. The rule
21 states that a law enforcement officer may use either the
22 existing version of Form CR-3 or the revised version, the CR-3
23 Alternate to report motor vehicle crash information.

24

25 The department developed the current version of the CR-3 after

1 extensive consultation with the law enforcement community
2 through a crash records working group and after consultation
3 with the Texas Department of Public Safety. The current version
4 of the CR-3 was also approved by both the working group and the
5 Department of Public Safety. The department adopted the current
6 version of crash reporting form in January of 2010.

7

8 The department has received some complaints on the current form
9 and requested that the Center for Transportation Safety at the
10 Texas Transportation Institute (CTS-TTI) conduct two surveys of
11 law enforcement agencies concerning implementation of the
12 current form. The survey indicated that some of the law
13 enforcement community found the current version of the Form CR-3
14 to be both more confusing and time consuming than previous
15 versions. These surveys indicate that some law enforcement
16 officers and agencies believe that use of the current form has
17 resulted in a significant increase in completion time, more
18 inaccurate data collection, and an increased level of
19 frustration on the part of the officers completing the form.
20 However, many of the survey respondents wished to continue using
21 the current version of the form.

22

23 One of the primary issues identified by law enforcement agencies
24 with the current Form CR-3 was that officers needed to refer to
25 a separate code sheet to complete the form. The department

1 sought to alleviate this problem by providing tools for the
2 officer's use such as plastic clipboards printed with the
3 necessary codes. Based on the survey these actions have not
4 been sufficient to eliminate all of the officer complaints.

5
6 CTS-TTI recommended that the department take a combined approach
7 to resolve the issues by offering two versions of the CR-3 crash
8 reporting form. Based on this recommendation the department
9 proposes to adopt an additional CR-3 form, the CR-3 Alternate,
10 containing the most commonly used data codes printed directly on
11 the form. This form contains all the same data fields as the
12 current CR-3 form. It does not require the gathering of any
13 additional information. It also does not delete any data fields
14 required on the current form. The difference between the two
15 forms is that the CR-3 form is two pages long and requires the
16 use of a code sheet and the CR-3 Alternate form is four pages
17 and includes the codes on the form in the relevant places.

18
19 Section 25.977(d) provides that the commission is adopting Form
20 CR-3 Alternate by reference. The adoption of this form will
21 allow the department to offer two versions of the form to be
22 used for gathering crash information. In addition the rule
23 provides that a law enforcement officer or agency can use either
24 form. This language is included to make it clear that the
25 choice of form is up to the agency or law enforcement officer.

1
2 Subsection (f) is also amended to indicate that both forms will
3 be available through the department website address.

4
5 COMMENTS

6 No comments on the proposed amendments were received.

7
8 STATUTORY AUTHORITY

9 The amendments are adopted under Transportation Code, §201.101,
10 which provides the commission with the authority to establish
11 rules for the conduct of the work of the department, and more
12 specifically Transportation Code, §550.064, which authorizes the
13 department to prescribe the form of motor vehicle crash reports.

14
15 CROSS REFERENCE TO STATUTE
16 Transportation Code, Chapter 550.

1 SUBCHAPTER O. CRASH RECORDS INFORMATION SYSTEM

2 §25.977. Reporting by Investigating Officers.

3 (a) A law enforcement officer who investigates a motor
4 vehicle crash shall submit a crash record report within 10 days
5 of the accident on a form prescribed by the department if the
6 crash resulted in:

7 (1) injury to or death of a person;

8 (2) \$1000 or more of property damage to the property of
9 any one person.

10 (b) The crash record report form must include:

11 (1) information about the crash;

12 (2) information about all vehicles involved in the crash;

13 (3) information about each person involved in the crash;

14 and

15 (4) other factors necessary for the department to comply
16 with state and federal reporting requirements.

17 (c) The department has developed Form CR-3, Texas Peace
18 Officer's Crash Report, to satisfy the requirements of
19 subsection (b) of this section. The commission adopts Form CR-3
20 by reference. [~~The form is available through the department's~~
21 ~~website at www.txdot.gov.]~~

22 (d) The department also has developed Form CR-3 Alternate,
23 Texas Peace Officer's Alternate Crash Report, to satisfy the

1 requirements of subsection (b) of this section and provide an
2 alternate format that the investigating officer or the officer's
3 law enforcement agency may choose for reporting the required
4 information. The commission adopts Form CR-3 Alternate by
5 reference.

6 (e) The forms are available through the department's
7 website at www.txdot.gov.

8 (f) [~~d~~] Incomplete or inaccurate crash reports, with the
9 exception of location information as described in §25.974(b) of
10 this subchapter (relating to Officer Accident Report
11 Modifications), will be returned to the originating law
12 enforcement agency for correction.