



DAVID J. SWARTS  
Commissioner

# STATE OF NEW YORK DEPARTMENT OF MOTOR VEHICLES

6 EMPIRE STATE PLAZA, ALBANY, NY 12228

"P" 27 (2010)

Albany, New York

December 2, 2010

TO: All Enforcement Agencies

SUBJECT: Revisions to the Police Accident Report

In January 2010, the New York State Department of Motor Vehicles began the process of revising the Police Accident Report. The purpose of this revision effort is to capture data elements mandated by the federal government or requested by our internal and external stakeholders, and to eliminate extraneous data elements that are no longer used. The new reports containing the majority of revisions are not expected to be printed until 2011 when the Accident Information System (AIS) will also receive a significant update to coincide with the release of the new police reports.

Due to upcoming federal mandates that require us to capture texting as a contributing factor in the new federal fiscal year (October 1<sup>st</sup>), we have implemented changes in AIS that will allow NYS DMV to begin capturing the new data as required. A total of seven (7) new human and vehicular contributing factor response codes have been added to the MV-104AC Police Accident Report Cover Sheet. A copy of the form has been attached and should be photocopied as needed. This form is also available on the DMV website at <http://dmv.ny.gov/forms/mv104ac.pdf>.

Unless otherwise indicated, the revisions described below will be identical on the MV-104A and MV-104AN once the forms are updated in 2011.

## Response Code Revisions (MV-104AC Cover Sheet)

Boxes 19 – 22: Apparent Contributing Factor

### Human:

29. Passing Too Closely

30. Vehicle Vandalism

31. Texting

32. Using On Board Navigation Device

33. Eating or Drinking

34. Listening/Using Headphones

Vehicular:

51. Tinted Windows

Officers completing an accident report using these values **must** provide an explanation in the “Accident Description/Officer’s Note” section. The officer’s notes are needed to provide an explanation of what the new response codes are to purchasers/recipients of these reports.

Please share this information with appropriate staff.

David J. Swarts  
Commissioner

Attachment

**PEDESTRIAN/BICYCLIST/OTHER PEDESTRIAN LOCATION**  
1. Pedestrian/Bicyclist/Other Pedestrian at Intersection  
2. Pedestrian/Bicyclist/Other Pedestrian Not at Intersection

**PEDESTRIAN/BICYCLIST/OTHER PEDESTRIAN ACTION**  
1. Crossing, With Signal  
2. Crossing, Against Signal  
3. Crossing, No Signal, Marked Crosswalk  
4. Crossing, No Signal or Crosswalk  
5. Riding/Walking/Skating Along Highway With Traffic  
6. Riding/Walking/Skating Along Highway Against Traffic  
7. Emerging from in Front of/Behind Parked Vehicle  
8. Going to/From Stopped School Bus  
9. Getting On/Off Vehicle Other Than School Bus  
11. Working in Roadway  
12. Playing in Roadway  
13. Other Actions in Roadway\*  
14. Not in Roadway (Indicate)\*

**TRAFFIC CONTROL**  
1. None  
2. Traffic Signal  
3. Stop Sign  
4. Flashing Light  
5. Yield Sign  
6. Officer/Guard  
7. No Passing Zone  
8. RR Crossing Sign  
9. RR Crossing Flashing Light  
10. RR Crossing Gates  
11. Stopped School Bus-Red Lights Flashing  
12. Construction Work Area  
13. Maintenance Work Area  
14. Utility Work Area  
15. Police/Fire Emergency  
16. School Zone  
20. Other\*

**LIGHT CONDITIONS**  
1. Daylight  
2. Dawn  
3. Dusk  
4. Dark-Road Lighted  
5. Dark-Road Unlighted

**ROADWAY CHARACTER**  
1. Straight and Level  
2. Straight and Grade  
3. Straight at Hillcrest  
4. Curve and Level  
5. Curve and Grade  
6. Curve at Hillcrest

**ROADWAY SURFACE CONDITION**  
1. Dry  
2. Wet  
3. Muddy  
4. Snow/Ice  
5. Slush  
6. Flooded  
0. Other\*

**WEATHER**  
1. Clear  
2. Cloudy  
3. Rain  
4. Snow  
5. Sleet/Hail/Freezing Rain  
6. Fog/Smog/Smoke  
0. Other\*

**WHICH VEHICLE OCCUPIED**  
1. Vehicle No. 1  
2. Vehicle No. 2  
A. All-Terrain Vehicle (ATV)  
B. Bicyclist  
C. In-Line Skater  
O. Other\*  
P. Pedestrian  
S. Snowmobiler

**POSITION IN/ON VEHICLE**  
1. Driver  
2. 7-7. Passengers  
8. Riding/Hanging on Outside

**SAFETY EQUIPMENT USED**  
1. None  
2. Lap Belt  
3. Harness  
4. Lap Belt/Harness  
5. Child Restraint Only  
6. Helmet (Motorcycle Only)  
7. Air Bag Deployed  
8. Air Bag Deployed/Lap Belt  
9. Air Bag Deployed/Harness  
A. Air Bag Deployed/Lap Belt/Harness  
B. Air Bag Deployed/Child Restraint

**In-Line Skater/Bicyclist**  
C. Helmet Only  
D. Helmet/Other  
E. Pads Only  
F. Stoppers Only  
0. Other\*

**EJECTION FROM VEHICLE**  
1. Not Ejected  
2. Partially Ejected  
3. Ejected

**AGE** **SEX**  
M/F

**APPARENT CONTRIBUTING FACTORS**  
**Human**  
2. Alcohol Involvement  
3. Backing Unsafely  
4. Driver Inattention/Distracted\*  
5. Driver Inexperience\*  
6. Drugs (Illegal)  
7. Failure to Yield Right-of-Way  
8. Fell Asleep  
9. Following Too Closely  
10. Illness  
11. Lost Consciousness  
12. Passenger Distraction  
13. Passing or Lane Usage Improper  
14. Pedestrian/Bicyclist/Other Pedestrian Error/Confusion  
15. Physical Disability  
16. Prescription Medication  
17. Traffic Control Disregarded  
18. Turning Improperly  
19. Unsafe Speed  
20. Unsafe Lane Changing  
21. Fatigued/Drowsy  
22. Cell Phone (hand-held)  
23. Cell Phone (hands-free)  
24. Other Electronic Device\*  
25. Outside Car Distraction\*  
26. Reaction to Other Uninvolved Vehicle  
27. Failure to Keep Right Uninvolved Vehicle  
28. Aggressive Driving/Road Rage\*  
29. Passing Too Closely  
30. Vehicle Vandalism  
31. Texting  
32. Using On Board Navigation Device  
33. Eating or Drinking  
34. Listening/Using Headphones

**Vehicular**  
41. Accelerator Defective  
42. Brakes Defective  
43. Headlights Defective  
44. Other Lighting Defects  
45. Oversized Vehicle  
46. Steering Failure  
47. Tire Failure/Inadequate  
48. Tow Hitch Defective  
49. Windshield Inadequate  
50. Driverless/Runaway Vehicle  
51. Tinted Windows  
60. Other Vehicular\*  
**Environmental**  
61. Animal's Action  
62. Glare  
63. Lane Marking Improper/Inadequate  
64. Obstruction/Debris  
65. Pavement Defective  
66. Pavement Slippery  
67. Shoulders Defective/Improper  
68. Traffic Control Device Improper/Non-Working  
69. View Obstructed/Limited

**DIRECTION OF VEHICLE:**

**PRE-ACCIDENT VEHICLE ACTION**  
1. Going Straight Ahead  
2. Making Right Turn  
16. Making Right Turn on Red  
3. Making Left Turn  
17. Making Left Turn on Red  
4. Making U Turn  
5. Starting from Parking  
6. Starting in Traffic  
7. Slowing or Stopping  
8. Stopped in Traffic  
9. Entering Parked Position  
10. Parked  
11. Avoiding Object in Roadway  
12. Changing Lanes  
13. Passing  
14. Merging  
15. Backing  
18. Police Pursuit  
20. Other\*

**LOCATION OF FIRST EVENT**  
1. On Roadway  
2. Off Roadway

**TYPE OF ACCIDENT -- COLLISION WITH**  
1. Other Motor Vehicle  
2. Pedestrian  
3. Bicyclist  
4. Animal  
5. Railroad Train  
6. In-Line Skater  
7. Deer  
8. Other Pedestrian  
10. Other Object (Not Fixed)\*

**COLLISION WITH FIXED OBJECT**  
11. Light Support/Utility Pole  
12. Guide Rail-Not At End  
25. Guide Rail-End  
13. Crash Cushion  
14. Sign Post  
15. Tree  
16. Building/Wall  
17. Curbing  
18. Fence  
19. Bridge Structure  
20. Culvert/Head Wall  
21. Median-Not At End  
26. Median-End  
27. Barrier  
22. Snow Embankment  
23. Earth Embankment/Rock Cut/Ditch  
24. Fire Hydrant  
30. Other Fixed Object\*

**NO COLLISION**  
31. Overturned  
32. Fire/Explosion  
33. Submersion  
34. Ran Off Roadway Only  
40. Other\*

**New York State Department of Motor Vehicles**  
**POLICE ACCIDENT REPORT**  
**MV-104AC (12/10)**  
**\*EXPLAIN IN ACCIDENT DESCRIPTION**  
If a question DOES NOT APPLY, enter a dash (-).  
If an answer is UNKNOWN, enter an "X".

**LOCATION OF MOST SEVERE PHYSICAL COMPLAINT**  
1. Head  
2. Face  
3. Eye  
4. Neck  
5. Chest  
6. Back  
7. Shoulder-Upper Arm  
8. Elbow-Lower Arm-Hand  
9. Abdomen - Pelvis  
10. Hip-Upper Leg  
11. Knee-Lower Leg-Foot  
12. Entire Body

**TYPE OF PHYSICAL COMPLAINT**  
1. Amputation  
2. Concussion  
3. Internal  
4. Minor Bleeding  
5. Severe Bleeding  
6. Minor Burn  
7. Moderate Burn  
8. Severe Burn  
9. Fracture - Dislocation  
10. Contusion - Bruise  
11. Abrasion  
12. Complaint of Pain  
13. None Visible  
14. Whiplash

**VICTIM'S PHYSICAL AND EMOTIONAL STATUS**  
1. Apparent Death  
2. Unconscious  
3. Semiconscious  
4. Incoherent  
5. Shock  
6. Conscious

**INJURED TAKEN**  
17 BY TO 18

**COVER SHEET**  
**N**