CHAPTER 21

INVESTIGATIONS

1. GENERAL.

a. This chapter is intended to provide trainees with a basic understanding of the procedures used for investigating complaints against motor carriers, in depth hours-of-service investigations, inspections supplemental to accident investigations, and seizure of evidence, including chain of possession requirements.

b. The MCSTO shall provide detailed instruction on each training segment contained in this chapter. This chapter does not repeat Chapter 5, Basic Terminal Inspection, but builds on the foundation necessary to complete this segment of training.

2. COMPLAINTS AGAINST MOTOR CARRIERS.

a. The MCSTO shall review the following references with the trainees:

(1) Authorities.

(a) Authority to regulate (34500 and 34501(a)(1) VC).

(b) Authority to inspect (34501 (a)(3) VC and 13 CCR 1202(a)).

(2) Policies and Procedures.

(a) Policy (HPM 84.1, Chapter 1).

1 Objectives (paragraph 1.b.).

2 Rationale (paragraph 1.c.).

a Paragraph 1.c.(1) (Terminal Inspection as enforcement tool).

3 Terminal Inspection (paragraph 5.a.).

4 Inspection Priorities (paragraph 5.e.).

5 Enforcement (paragraph 5.f.).

6 Enforcement Guidelines (paragraph 5.g.).

7 Liaison With U.S. Department of Transportation (paragraph 6.).

8 Liaison With Other State Departments (paragraph 7.).

9 Information Release Policy (paragraph 9.).

10 Complaints Against Motor Carriers (paragraph 11.).

(b) Inspection Procedures and Reports (HPM 84.1, Chapter 2).

1 General (paragraph 1.).

a Paragraph 1.a. - Purpose.

b Paragraph 1.b. - Reports.

2 Physical Evidence (paragraph 1.c.(4)).

3 Terminal Inspection Depth (paragraph 1.h.).

a Paragraph 1.h.(8) - Seizure of Records.

b Paragraph 1.h.(9) - Preparation and Distribution of CHP 343C, Records Receipt.

4 Reason for Inspection (paragraph 3.n.).

(c) Enforcement Action (HPM 84.1, Chapter 13).

b. Review completed CHP 356 and CHP 343-1(s), along with any supporting documentation from Division suspense files. All three possible findings, "Unfounded," "Sustained," and "Undetermined" should be discussed.

c. MCSTO shall explain Division policy for inspection depth and suspense date.

d. Review proper terminal entry and exit procedures with trainees.

e. Review terminal environment and personal safety procedures peculiar to this activity with the trainees.

f. MCSTO should present a scenario exercise, based on experience, to ascertain the trainee's ability to deduce the correct findings and make recommendations for necessary actions to be taken. A CHP 356 should be used, along with the necessary number of CHP 343-1 s, so trainees may demonstrate correct form completion and appropriate verbiage. This exercise should be retained in the Training File for each trainee.

3. IN-DEPTH HOURS OF SERVICE INVESTIGATIONS.

a. The MCSTO shall review, with the trainees, the following references:

(1) Authority to regulate (34500 and 34501(a)(1) VC).

(2) Authority to inspect (34501(a)(3) VC and 13 CCR 1202(a)).

(3) Limitations: Driving Hours (34501.2 VC).

(4) Hours of Service Regulations (13 CCR 1212, 1212.5, and 1213).

(5) Required Records for Motor Carriers (13 CCR 1234).

(6) Federal Hours of Service Regulations (49 CFR Part 395).

(7) Federal Hours of Service Interpretations (incorporated by reference in 34501.2 VC and 49 CFR part 395).

(8) Unlawful Schedule (34501.3 VC). (9) Exceptions (13 CCR 1200).

(10) Log Book Requirements (34501.4 VC).

(11) Location of Driver Records and Log Books (34501.10 VC).

(12) Hours of Service/Speed (HPM 84.1, Chapter 2,1.h.(4)).

b. The MCSTO shall ensure that trainees fully understand the statutes and regulations in combination with the interpretations and exceptions before any field training is attempted. This may be accomplished by relating pertinent personal examples and trainer-produced scenarios that allow the trainees to work through the regulations and assemble documents to show that certain violations have occurred in the simulated situations.

c. Explain the term "supporting documents," when they are required by federal regulations, and how this applies under state requirements.

d. The MCSTO should familiarize the trainees with departmental hours of service inspection and documentation equipment, such as the LOGSTAR software with digitizer pad and laptop computer, and Golden State Logcheck hand-held 7- or 8-day total hours calculator.

e. Show by example and explain how to arrive at an objective conclusion in the investigation by combining records that are required and any other records that may be available. For example, use the driver's daily vehicle inspection reports (maintenance records) to compare with duty status records (logbooks) and compare those documents to motel receipts, freight bills, scale receipts, toll bridge receipts, repair bills, fuel bills or receipts, and the motor carrier's citation history, as listed in the MISTER system. Many routine motor carrier records are time and date stamped. Compare these with the timekeeping records, using DMV Pull-Notice records to ascertain the driver's license number as listed in the MISTER system Carrier Citation History. Experienced MCSTOs should share their expertise with trainees.

f. Explain to trainees the common methods used by motor carriers to pay drivers. These should include salary, bonus, incentive, hourly percentage of revenue, mileage, and flat rate per load as examples. Teach trainees to determine the method of pay and to compare this to the timekeeping records. Reinforce lessons with practical exercises, and retain them in the training records.

4. SEIZURE OF EVIDENCE AND CHAIN OF POSSESSION.

a. The MCSTO shall review, with the trainees, the following references:

(1) Authority to regulate (34500 and 34501(a)(1) VC).

(2) Authority to inspect (34501 (a)(3) VC and 13 CCR 1202(a)).

(3) Authority to seize evidence (Attorney General's Opinion, warrantless search as authorize ed by 34501 VC).

(4) Procedures and Reports (HPM 84.1, Chapter 2).

(a) Physical Evidence (paragraph 1.c.(4)).

(b) Seizure of Records (paragraph 1.h.(8)).

(5) Safeguarding of Property and Evidence (GO 100.88).

(6) Evidence Manual (HPM 70.1).

(a) Policy statement (Foreword).

(b) Collection and Marking of Physical Evidence (Chapter 4).

(c) Forms - Completion and Management (Chapter 6).

b. The MCSTO shall familiarize the trainees with the Evidence Room/Lockers at the appropriate Area offices and Division MCSU.

c. Explain the procedures used at the facilities for booking evidence, introducing Area Evidence Officers and summarizing their duties. Show trainees the CHP 36B, Evidence /Property Log, and explain its use.

d. Emphasize the necessity for the handling of evidence and/or property of others, exactly as policy requires. These procedures are legally defensible, and the seized items may make or break an important court case:

e. The MCSTO should present a practical exercise using the CHP 343C with CHP 343-1 Continuation, using the CHP 343C as a "totals" form for large amounts of evidence seized, as the CHP 343-1 s will be used to document each item removed.

f. Provide each trainee with a CHP 36, Evidence/Property Receipt/Report, and demonstrate the correct completion and attachment of the form to the evidence or its container. Explain the chain of possession concept, and show trainees how to complete the back of the hardstock copy attached to the evidence each time it is handled.

g. Explain the Seized Records Copying Policy, as it addresses the use of carrier-owned copy machines and the incremental return of copies of any records taken. Emphasize that original documents are always seized, as copies have little evidentiary value.

h. Enter the trainees' practical exercises into their training records.

5. ACCIDENT INVESTIGATION - MECHANICAL INSPECTION OF VEHICLES.

a. The MCSTO shall review the following references with the trainees:

(1) Policy (HPM 84.1, Chapter 1).

(a) Enforcement Responsibilities (paragraph 3.a.(3)).

(2) Inspection Procedures and Reports (HPM 84.8, Chapter 2).

(a) Vehicle Inspection (paragraph 1.c.(1)).

(b) Physical Evidence (paragraph 1.c.(4)).

(3) HPM 84.8, Chapter 3. Field Activity Reporting.

(a) Form Preparation (paragraph 2.a.).

(b) Report Entries (paragraph 2.b.(7) and (8)).

(4) Guide for using the CHP 556 (HPM 84.1, Annex D).

(5) Vehicle Equipment Inspection Guide (HPG 83.2).

(6) Photographs For Accidents and Investigations (GO 110.8).

(7) Photography - Techniques of Accident Investigation (ANNEX C).

b. Explain to the trainees that mechanical expertise inherent in the tasks they complete for the Department makes them credible witnesses for investigations where mechanical failure is suspected in an accident. The CHP Academy does not teach mechanical application or theory; they advise officers to seek competent help when the probability of mechanical failure exists in a vehicle involved in an accident.

c. The MCSTO should allow trainees to accompany him or her, or another qualified MCS I with the trainer present, on an accident investigation, to observe first hand the inspection procedures, occupational safety measures, and completion of the Supplementary CHP 556.

d. Discuss with the trainees any "working notes" they may use during the course of the investigation. Remember to destroy any unnecessary documentation after the report is reviewed and accepted, as all notes are subject to subpoena. Show trainees the examples of working notes in Annex A.

e. Encourage trainees to use the procedures exactly as outlined in HPG 83.2, when possible, as those proven procedures are easily remembered when in court.

f. Discuss the use of 35mm vs. Polaroid photographs. When duplicates of photos will likely be required, 35mm should be used for cost and availability reasons.

g. The MCSTO shall demonstrate proper occupational safety procedures unique to this type of activity. All departmental safety equipment is required, including bump cap, coveralls, and eye protection. Leather gloves should be provided for working adjacent to jagged metal and shattered glass. Instruct trainees about the site of inspection, pools of possible hazardous materials, and unusual hazards, such as drugs, needles, and hidden firearms. Particular caution should be exercised when working around charred vehicle components. Remind trainees about proper use of hydraulic jacks and jack stands. A floor jack and stands may be available at a local Area office.

h. Explain the Department's policy of the on disassembly and reassembly of vehicles that have been inspected. For liability reasons, no reassembly is permitted. A CHP 346(a); "Out of Service" notification is to be affixed to the vehicle, listing. the items disassembled and their disposition, (usually inside the vehicle), and warning persons who ho move the vehicle that corrective action is necessary for safe movement.

i. The MCSTO should have the trainees complete a CHP 556 incorporating all the required elements, briefly and to the point. Facts should be summarized, but opinions never expressed. An outline of the required elements is in Annex B. This exercise shall be entered into the training records.

ANNEX A

MCS I MECHANICAL INSPECTION

MCS I MECHANICAL INSPECTION
WORKING NOTES FOR SUPPLEMENTARY ACCIDENT INVESTIGATION

SMALL TRUCK / AUTOMOBILE

Inspection date(s) _____ _____ _____

Inspection time(s) _____ _____ _____

Inspection Location _____

_____

_____

Area / Agency / Officer requesting Inspection

_____

Accident / Vehicle Number as indicated on CHP (180) / Allied Agency accident report or log

_____

VEHICLE DESCRIPTION

Year, Make, Model _____

Body Color(s) _____

Interior color(s) _____

License Number _____ **State** _____ **Expiration** _____

Vehicle V.I.N. _____

Odometer _____**mi/km** **Engine Displacement** _____**liter/c.i.d.**

Trip odometer _____**mi/km** **Fuel type used** _____

ANNEX A

MCS I MECHANICAL INSPECTION *(continued)*

Fuel system:

Carburetor _____ number of barrels _____ Multiple carburetors _____

Fuel Injection _____ mechanical _____ electronic _____ combination _____

Fuel injectors: leaking _____ Fuel rail/return metal _____ rubber _____ leaks _____

Fuel filter(s) in-line _____ canister _____ spin on _____ leaking _____

Fuel pump: mechanical _____ electric _____ in tank _____

Fuel tank: metal _____ plastic _____ secured _____ fill pipe intact _____

Fuel lines: rubber _____ plastic _____ metal _____ leakage _____

Throttle control system: mechanical linkage _____ mechanical cable _____

electronic (drive by wire)_____

Cruise control _____ Cruise control switch setting off _____ on _____

Turbocharged _____ Supercharged _____ Air cleaner / Spark arrestor intact _____

Fuel System Notes: _____

_____

_____

_____

Exhaust System:

Dual exhaust _____ Single exhaust _____ Mufflers,converters,heat shields intact _____

Routing from Engine Manifolds left side _____ center _____ right side _____

Exhaust pipe outlet(s) down _____ turned out _____ left side _____ right side_____

Intact _____ Damaged _____

Exhaust System notes: _____

_____

ANNEX A

MCS I MECHANICAL INSPECTION *(continued)*

Drivetrain:

Engine configuration: V-16 _____ V-12 _____ V-8 _____ V-6 _____ V-4 _____

Inline 8 _____ 6 _____ 5 _____ 4 _____ 3 _____ 2 _____

Opposed 12 _____ 8 _____ 6 _____ 4 _____ 2 _____

Rotary _____ Electric motor(s) _____

Transmission: Automatic _____ Manual _____ Number of forward gears _____

Continuously Variable Transmission (CVT) _____ Overdrive _____

Transmission control gear selector position _____ Overdrive on ____off ___

Axles: Number of axles _____ Front drive _____ Rear drive _____ 4 wheel drive _____

Part time 4 wheel drive _____ Full time 4 wheel drive _____ Speeds _____

Transfer case selector position _____ (may be floor lever or dash switch)

Drivetrain notes: (Damage,modifications, etc.) _____

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ANNEX A

MCS I MECHANICAL INSPECTION *(continued)*

Steering system:

Power _____ Manual _____ Rack & Pinion _____ Gearbox _____

Hydraulic Assist _____ Electric Assist _____ Remote reservoir _____

Steering Wheel Size (Diameter) _____ Turns lock to lock _____

Reservoir Fluid Level _____

Belt & Hose condition _____

Pump & Reservoir _____

Steering Wheel & Column _____

Steering shaft,gearbox (securement) _____

Pitman arm _____

Drag link _____

Spindle arm _____

Spindles, King pins _____

Idler arm(s) _____

Tie rod, Center link _____

Steering system notes: (damage, modifications) _____

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ANNEX A

MCS I MECHANICAL INSPECTION *(continued)*

Braking system:

Manual _____ Power assisted _____ Vacuum assist _____

Hydraulic assist _____ Air over hydraulic assist _____

Split Hydraulic system _____ Split Air system _____

Master cylinder: Bent _____ Broken _____ Iron _____ Aluminum _____

Reservoir: Single _____ Dual _____ Cast _____ Plastic _____ Remote _____

Reservoir cover: Single _____ Dual _____ Cap _____ Missing _____

Brake fluid level in reservoir _____ Contaminated _____

Brake hoses, tubing and fittings _____

_____

Brake Pedal Height: Unapplied _____in Free Travel _____in

Applied Pedal Height with assist _____in (from floorboard to pedal)

Applied Pedal Height without assist_____in

Brake system function: with power assist, does application of pressure to the brake pedal apply front brakes? Yes / No Rear brakes? Yes / No

without power assist, does application of pressure to the brake pedal apply front brakes? Yes / No Rear brakes? Yes / No

Parking Brake: Handbrake _____ Footpedal _____ Location _____

Position at time of inspection _____ Adjustment _____

Brake system notes: (condition, modifications) _____

_____

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ANNEX A

MCS I MECHANICAL INSPECTION *(continued)*

Brake system (continued): Wheel Brakes

	Left front	Right front	Left rear	Right rear
Brake type (rotor,drum, etc.)				
Lining type				
Lining thickness				
Outside/primary/front				
Inside/secondary/rear				
Lining to drum / rotor clearance				
Hardware & Adjusters				
Adjuster type				
Missing parts				
Wheel Cylinders				
number (per wheel)				
leaking or defective				
Rotor actual measured thickness				
Rotor manufacturer's minimum thickness				
Drum actual measured inside diameter				
Drum manufacturer's maximum diameter				

Notes: _____

_____

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ANNEX A

MCS I MECHANICAL INSPECTION *(continued)*

TIRES:

Left front: Manufacturer/Brand _____

Size: _____

Maximum Load Rating _____lbs. at _____psi max

Plies: Tread: Poly _____ Steel _____ Nylon _____ Rayon _____

Sidewall: Poly _____ Steel _____ Nylon _____ Rayon _____

Tread Wear _____ Traction(letter) _____ Temperature _____

DOT Number _____

Inflation _____psi at time of inspection FLAT _____

Tread depth: ____/32, ____/32, ____/32, ____/32, ____/32, ____/32

Right front: Manufacturer / Brand _____

Size: _____

Maximum Load Rating _____lbs. at _____psi max

Plies: Tread: Poly _____ Steel _____ Nylon _____ Rayon _____

Sidewall: Poly _____ Steel _____ Nylon _____ Rayon _____

Tread Wear _____ Traction(letter) _____ Temperature _____

DOT Number _____

Inflation _____psi at time of inspection FLAT_____

Tread depth:____/32, ____/32, ____/32, ____/32, ____/32, ____/32

Notes: (defects,etc.)_____

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• Inspection of tire with valve stem at 12:00 position, and tread grooves reported ouside to inside

ANNEX A

MCS I MECHANICAL INSPECTION *(continued)*

Tires (Continued):

Left rear: Manufacturer/Brand_____

Size: _____

Maximum Load Rating _____lbs. at _____psi max

Plies: Tread: Poly_____ Steel _____ Nylon _____ Rayon _____

Sidewall: Poly _____ Steel _____ Nylon _____ Rayon _____

Tread Wear _____ Traction(letter) _____ Temperature _____

DOT Number _____

Inflation _____psi at time of inspection FLAT_____

Tread depth: ____/32, ____/32, ____/32, ____/32, ____/32, ____/32

Left rear: Manufacturer/Brand _____

Size: _____

Maximum Load Rating _____lbs. at _____psi max

Plies: Tread: Poly _____ Steel _____ Nylon _____ Rayon _____

Sidewall: Poly _____ Steel _____ Nylon _____ Rayon _____

Tread Wear _____ Traction(letter) _____ Temperature _____

DOT Number _____

Inflation _____psi at time of inspection FLAT_____

Tread depth:____/32, ____/32, ____/32, ____/32, ____/32, ____/32

Notes: (defects,etc.) _____

_____

_____

* Inspection of tire with valve stem at 12:00 position, and tread grooves reported ouside to inside.

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ANNEX A

MCS I MECHANICAL INSPECTION *(continued)*

WHEELS:

Left front: steel _____ aluminum _____ Number of fasteners _____
Damaged_____

Right front: steel _____ aluminum _____ Number of fasteners _____
Damaged _____

Left rear: steel _____ aluminum _____ Number of fasteners _____
Damaged _____

Right rear: steel _____ aluminum _____ Number of fasteners _____
Damaged _____

Notes:_____

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ANNEX A

MCS I MECHANICAL INSPECTION *(continued)*

LIGHTS:

Headlights: Switch Position_____ Left Lamp_____ Right Lamp_____

Inner/lower lamp_____ inner/lower lamp_____

Taillights: Switch Position _____ Left Lamp _____ Right Lamp _____

Stoplamps: Switch Position _____ Left Lamp _____ Right Lamp _____

Turn signal lamps: Switch Position _____ Hazard lamp switch _____

Left front _____ Right front _____

Left rear _____ Right rear _____

NOTES: _____

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REMEMBER TO DISPOSE OF THESE NOTES WHEN INSPECTION REPORT HAS BEEN ACCEPTED, AS A NORMAL COURSE OF ACTION

ANNEX A

MCS I MECHANICAL INSPECTION *(continued)*

MCSI MECHANICAL INSPECTION
WORKING NOTES FOR SUPPLEMENTARY ACCIDENT INVESTIGATION

MOTORCYCLE

Inspection date(s) _____ _____ _____

Inspection time(s) _____ _____ _____

Inspection Location _____

_____

_____

Area / Agency / Officer requesting inspection

_____

Accident / Vehicle Number as indicated on CHP (180) / Allied Agency accident report or log

_____

VEHICLE DESCRIPTION

Year, Make, Model _____

Body Color _____ **Frame Color** _____

License Number _____ **State** _____ **Expiration** _____

Vehicle V.I.N. _____ **Engine V.I.N.** _____

Odometer _____**mi/km** **Engine Displacement** _____**c.i.d./cc**

ANNEX A

MCS I MECHANICAL INSPECTION *(continued)*

Transmission: ***IMPORTANT! Do NOT Move Shifter!***

Foot or Hand control _____ Left or Right side (facing forward) _____

Control linkage design _____ Damaged? _____

Gear Position at time of inspection _____ Number of speeds _____

Case condition _____ Oil level, condition _____

Speed range for each gear: 1st _____ 4th _____

2nd _____ 5th _____

(Dealer data, if possible) 3rd _____ 6th _____

Clutch control (left or right, hand or foot actuated, condition, linkage or cable,response) _____

_____

Hydraulic clutch control (reservoir level, hose condition_____

Final Drive:

Chain(s) _____ Belt(s) _____ Shaft _____

Condition (leaks, frayed, damage, excessive las_____

Gearbox: oil level, lube condition_____ Case condition_____

Front Suspension:

Forks-modified, extended _____

Fork leakage, damage _____

Hydraulic or Springer _____ Air Pressure, Left_____psi Right_____psi

Axle condition and securement _____

Rear Suspension:

Monoshock or dual shocks _____

Solid frame (hardtail), or Swing Arm and component condition(bushings, alignment) _____

_____

Axle condition and securement _____

Suspension damage/notes _____

ANNEX A

MCS I MECHANICAL INSPECTION *(continued)*

Brakes:

General system design _____

_____

ABS system _____

Front brakes: Dual disc, Single disc, Drum _____

Cable Condition, Master cylinder fluid level, hose condition, leakage _____

_____

Control (lever, left, right, handlebar, foot pedal) _____

_____

Brake pad(s) thickness, or Shoe lining thickness Left/Upper _____

Right/Lower _____

Rotor/Drum condition _____

Rear brakes: Dual disc, Single disc, Drum _____

Linkage Condition, Master cylinder fluid level, hose condition, leakage _____

_____

Control (lever, left, right, handlebar, foot pedal) _____

_____

Brake pad(s) thickness, or Shoe lining thickness Left/Upper _____

Right/Lower _____

Rotor/Drum condition _____

ANNEX A

MCS I MECHANICAL INSPECTION *(continued)*

Fuel System:

Tank (damage, modifications, location on vehicle, cap, estimated capacity and estimated amount of fuel remaining) _____

_____

Carburetor(s) _____ Fuel Injection _____ Turbocharger _____ Modified _____

_____

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Fuel lines and fittings (condition, leakage, modifications) _____

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_____

Fuel Pump, filter _____

_____

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ANNEX A

MCS I MECHANICAL INSPECTION *(continued)*

TIRES:

Front: Manufacturer/Brand _____

Size: _____

Maximum Load Rating _____lbs. at _____psi max

Plies: Tread: Poly _____ Steel _____ Nylon _____ Rayon _____

Sidewall: Poly _____ Steel _____ Nylon _____ Rayon _____

Tread Wear _____ Traction(letter) _____ Temperature _____

DOT Number _____

Inflation _____psi at time of inspection FLAT _____

Tread depth: ____/32, ____/32, ____/32, ____/32, ____/32, ____/32

Rear: Manufacturer / Brand _____

Size: _____

Maximum Load Rating _____lbs. at _____psi max

Plies: Tread: Poly _____ Steel _____ Nylon _____ Rayon _____

Sidewall: Poly _____ Steel _____ Nylon _____ Rayon _____

Tread Wear _____ Traction(letter) _____ Temperature _____

DOT Number _____

Inflation _____psi at time of inspection FLAT_____

Tread depth: ____/32, ____/32, ____/32, ____/32, ____/32, ____/32

Notes: (defects,etc.)_____

_____

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* Inspection of tire with valve stem at 12:00 position, and tread grooves reported outside to inside

ANNEX A

MCS I MECHANICAL INSPECTION *(continued)*

WHEELS:

Front: steel _____ aluminum _____ Number of fasteners _____
Damaged_____

Rear: steel _____ aluminum _____ Number of fasteners _____
Damaged _____

Notes:_____

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ANNEX A

MCS I MECHANICAL INSPECTION *(continued)*

LIGHTS:

Headlights: Switch Position_____ Left Lamp_____ Right Lamp_____

Lower lamp_____

Taillights: Switch Position _____ Left Lamp _____ Right Lamp _____

Stoplamps: Switch Position _____ Left Lamp _____ Right Lamp _____

Turn signal lamps: Switch Position _____ Hazard lamp switch _____

Left front _____ Right front _____

Left rear _____ Right rear _____

NOTES: _____

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ANNEX A

MCS I MECHANICAL INSPECTION *(continued)*

Other accessories that may have been a contributing factor in the accident:

Cruise control (on or off) _____ Intercom, radio _____

Automatic air compressor(suspension leveling) _____

Cell phone, CB radio _____

Engine oil tank (fluid level, capacity) _____

High Pressure Gas shock absorber reservoirs and lines(***NEVER ATTEMPT TO CHECK THE PRESSURE OF THESE COMPONENTS!! DANGER 2000 PSI!!***) _____

_____

Toolbags, saddlebags (improperly mounted) _____

_____

Other: _____

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REMEMBER TO DISPOSE OF THESE NOTES WHEN INSPECTION REPORT HAS BEEN ACCEPTED, AS A NORMAL COURSE OF ACTION

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ANNEX B

VEHICLE INSPECTION

STATE OF CALIFORNIA
NARRATIVE / SUPPLEMENTAL

CHP 556 — Page 1

DATE OF INCIDENT/OCCURRENCE	TIME	NOIC NUMBER	OFFICER I.D. NUMBER	NUMBER
June 01, 1997	1700 hrs.	00000	CHP	

VEHICLE INSPECTION

REQUESTED BY: *(Motor Carrier Safety Unit, Special Services Commander, MCS III, etc.)*
(CHP officer, Allied Agency)

INSPECTION LOCATION: *(Name of Towing Service Yard or Area office, etc.)*
(Street Address)
(City, State, Zip Code) Telephone *(Area Code) 555-1212*

VEHICLES INSPECTED:

VEHICLE #1- (*Year, Model, Make*) (*State*) License # Unit #(*Company*) VIN# (*Seventeen digits*) (*Owner*)
VEHICLE #2- (1986 Wabash trailer) (CA) License (FT000) Unit #(111) VIN# (Owner)
VEHICLE #3- (dolly) License # Unit # VIN# (Owner)
VEHICLE #4- License # Unit # VIN# (Owner)

Be sure to include mileage readings (odometer or hubodometer) if applicable

ITEMS TO BE INSPECTED: *(Braking system, etc.)*

PHOTOGRAPHS TAKEN: (3) rolls of (12) exposure (35mm film), taken with CHP camera
Developed at (photo shop) *(if any) Enter "NONE" if none taken*

EVIDENCE REMOVED: *(Listed on CHP 343-C) (if any) Enter "NONE" if none taken*

INSPECTION WITNESSES: *(Name, Rank or position, Identification Number)*

California Highway Patrol, *(Division)*
(Street address)
(City, State) (Telephone)

SUMMARY: *(Briefly describe the carrier's fleet size, number of drivers, scope of operation, commodities transported, etc.)*

NOTE: Attach additional CHP 556 vehicle inspection pages, one vehicle per page. Briefly describe the condition of vehicles as you find them before inspection, this will help if you are not able to inspect components because of impact damage. Remember to follow the inspection procedures in HPG 83.2, as these are easily remembered and defended in court. Document all measurements taken and items inspected.

The Last Page of the report should contain a summary of the conclusions made from an "objective" inspection, entitled "CONCLUSIONS". If any of the inspected items contributed to the incident, these should be listed with a brief explanation.

PREPARER'S NAME AND I.D. NUMBER		DATE	REVIEWER'S NAME	DATE
M. C. SPECIALIST	A16203	June 01, 1997		

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ANNEX C

PHOTOGRAPHY
TENIQUIES OF ACCIDENT INVESTIGATION

1. Importance of Photography.

   a. Permanent, accurate record of:

      (1) Collision site..

      (2) Physical evidence.

      (3) Vehicle damage.

   b. One picture is worth a thousand words.

   c. Can support conclusion/investigation.

2. Use of Photographs.

   a. Accident reconstruction.

   b. Use to write narrative/diagram preparation.

   c. Criminal/civil court proceedings.

      (1) Presentation of physical evidence.

      (2) Memory aid for the investigator.

3. Credibility/admissibility of photographs.

   a. Admissible as maps or diagrams.

      (1) People vs. Mahatch 148 Cal. 200.

      (2) People vs. Singh 78 Cal. 544.

   b. Photographer/developer need not testify.

      (1) Witness/officer can testify photograph is a fair representation of the subject of the Photo.

      (2) People vs. Ah Lee 164 Cal 350.

(3) People vs. Dogget 83 Cal App. 2d.405.

(4) People vs. Mehaffey 32 Cal. 2d. 535.

4. Problems with admissibility of photographs.

   a. Photo is not representative of subject.

      (1) Telephoto/wide angle/lens distortion.

   b. Where inaccuracy can be shown.

      (1) Stewart vs. St. Paul City 80 N.W. 855.

   c. Excluded where they incite emotion/passion of the jury.

      (1) People vs. Burns 109 Cal. App. 2d. 524.

      (2) Autopsy photos, etc.

   d. Photo must be relevant.

      (1) People vs. Burns 109 Cal. App. 2d. 524.

   e. Don't mark negatives.

   f. Don't mark print prior to admission to evidence without instruction from the court.

5. Photographic sources.

   a. Law enforcement - CHP or Allied Agency.

   b. Professional photographers.

   c. Free-lance photographers.

   d. Newspaper photographs.

   e. Claims adjusters (insurance co.).

   f. Safety officer for truck/rental company.

6. When to photograph.

   a. ASAP - Before scene clean up (before marking).

ANNEX C

PHOTOGRAPHY
TENIQUIES OF ACCIDENT INVESTIGATION *(continued)*

b. Photograph permissible items first.

c. After scene clean up.

d. Daylight photos of collision occurring during darkness.

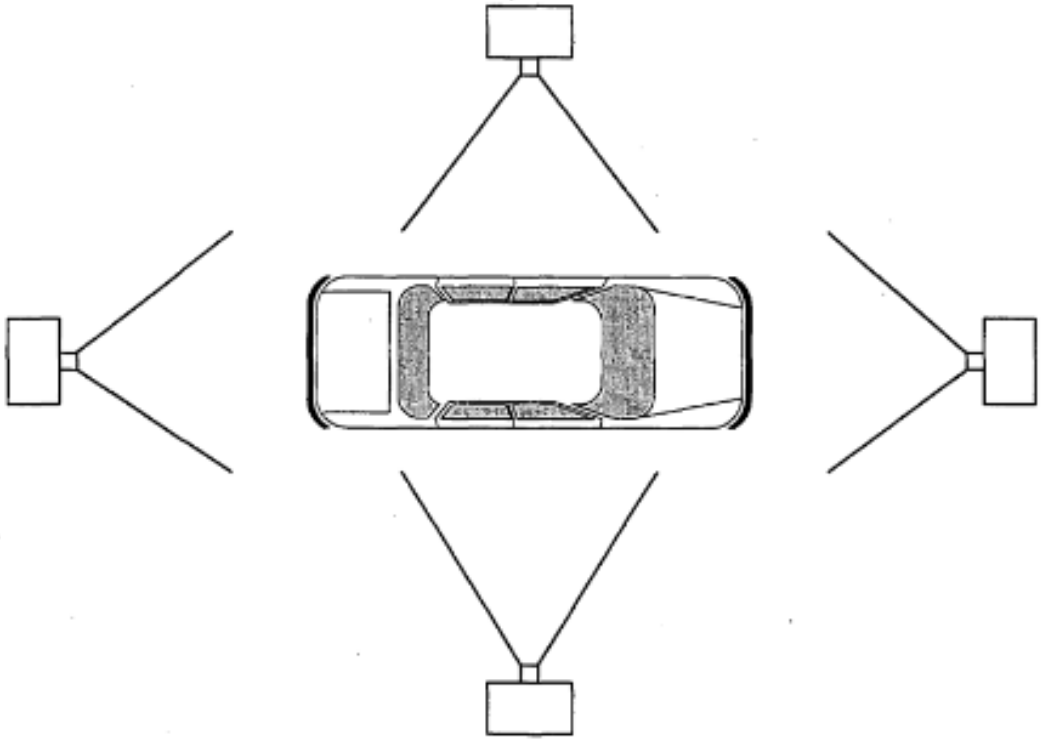
e. Appropriate lighting.

(1) Use oblique lighting when possible.

f. Vehicle(s) exterior.

(1) Take general photographs of the vehicle exterior damage. The objective of these photographs should be to document the entire surface area of the vehicle.

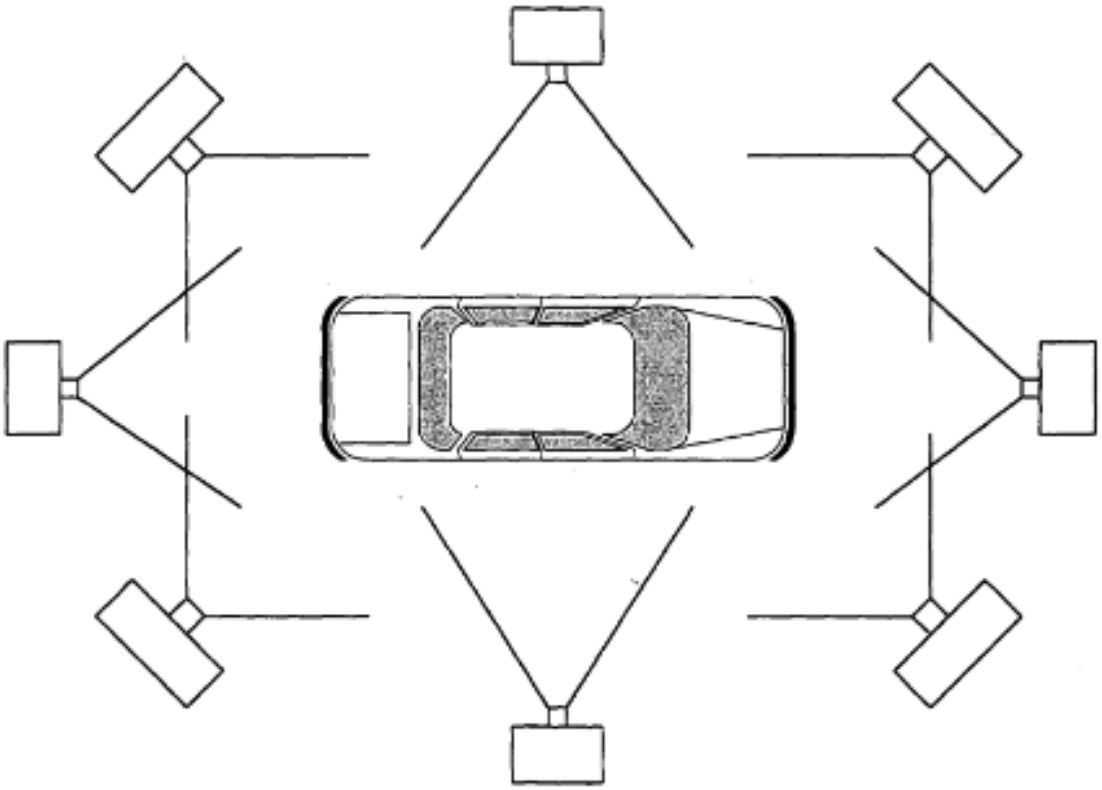
(2) Don't forget photographs of the top of the vehicle and undercarriage when these areas contain evidence relevant to your investigation.



A minimum of 4 photographs

ANNEX C

PHOTOGRAPHY
TENIQUIES OF ACCIDENT INVESTIGATION *(continued)*



Recommend taking at least 8 photographs

(3) Damage detail, including close-ups.

(a) Imprints.

(b) Transfers.

(c) Damage to tires/wheels.

(d) Damage to lamps.

(e) Take overall view and then move closer.

(f) Include measuring devices (don't obscure evidence).