

Michigan State Police

Crash Advisory # 4



April 2005

Legally and Illegally Parked Vehicles

- A **LEGALLY** parked vehicle is a traffic unit on the UD-10. All occupants (including the person sitting behind the steering wheel) of a LEGALLY parked vehicle are passengers. Do **NOT** include a Driver License Number of the occupant seated behind the wheel (Michigan law does not require a person to have a driver license in order to sit in a legally parked vehicle). Code the person sitting behind the wheel as a Passenger in Position "1."

If you think it might be helpful to write down the Driver License Number (in case you might need to make contact at a later date), record it in the Crash Diagram/ Remarks box. If you list their Driver License Number in the Driver License Number box, the crash could get posted to their driving record which should NOT occur.

- An **ILLEGALLY** parked vehicle is also a traffic unit on the UD-10 and is considered a motor vehicle "in transport." If the vehicle is ILLEGALLY parked, list the Driver License Number of an occupant seated behind the steering wheel (notice we have intentionally avoided calling this person the "driver" because the car is PARKED, but the person's DLN, name, address, etc. should be listed in the "Driver" section on the UD-10).
- If the vehicle is UNOCCUPIED (parked legally or illegally), do not list any information in the "Driver" section.

A car is legally parked in John Smith's driveway. The brakes fail and, the car rolls out into the street and hits a bicyclist. Do I submit a UD-10 on this crash?

Yes. It is a two-unit crash. You list the owner's name and address in the Owner section of the motor vehicle, not in the Driver section. Do NOT list his Driver License Number. This crash should not be posted to his driving record; he does not need a Driver License to park his car in a private driveway. You may cite him for a hazardous action (and show it on the UD-10), but do not list his Driver License Number.

A driver loses control; his car jumps the curb, enters a private parking lot and hits a pedestrian. Do I submit a UD-10 on this crash?

Yes. This too is a two-unit crash. Although contact with the pedestrian was on private property, the unstable event began on a public road. According to ANSI definition, the crash begins the moment stability is lost and continues until stability is regained.

Please Distribute to All Personnel Who Complete or Review Traffic Crash Reports

