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# REMOTE NOT IN TRAFFIC SURVEILLANCE HYPERTHERMIA INVESTIGATION

CASE NUMBER - IN09031 LOCATION - FLORIDA VEHICLE - 2006 Dodge Charger R/T INCIDENT DATE - June 2009

Submitted:

May 18, 2010



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The incident investigation process is an inexact science which requires that physical evidence such as skid marks, vehicular damage measurements, and occupant contact points be coupled with the investigator's expert knowledge and experience of vehicle dynamics and occupant kinematics in order to determine the pre-incident, incident, and post-incident movements of involved vehicles and occupants.

Because each incident is a unique sequence of events, generalized conclusions cannot be made concerning the crashworthiness performance of the involved vehicle(s) or their safety systems.

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#### 15. Supplementary Notes

Remote Not in Traffic Surveillance Hyperthermia Investigation involving a 2006 Dodge Charger and a 23-month-old female child who had been left unattended in the vehicle.

#### 16. Abstract

This report covers a remote investigation of a Not In Traffic Surveillance Hyperthermia incident that involved a 2006 Dodge Charger R/T. The focus of this case was the circumstances surrounding the death of a 23-month-old female child who had been left unattended in the vehicle. The incident occurred in Florida, in June 2009, in a residential driveway, and happened between the hours of 0600 and 1207. The mother placed the child in a booster seat located in the second row right seating position. The father then drove the mother to work. After the mother was dropped off at work at 0600 hours, the father returned home, around 0630 hours. According to the father's sister-in-law, the father and child were observed sitting in the vehicle at 0713 hours with the vehicle still running. Later the father went into the house and fell asleep. Because of the driver/father's tiredness and inebriation, the vehicle was left running but locked with the child still in the booster seat. The father told police that he was unaware that the child had been placed in the car. The sister-in-law of the father awoke around noon, recognized an abnormal quietness in the house, and went searching for the child. The sister-in-law located the child inside the car in the driveway. The car was still running with the air conditioning on. She woke the father who located a spare key and unlocked the vehicle. The sister-in-law indicated that the child was blue in color and not breathing. The father removed the child from the vehicle, and the child was transported by ambulance to the hospital. The police noted that the child had skin slippage on her face, including both cheeks, and forehead. The child was pronounced dead of hyperthermia at the hospital at 1224 hours.

17.	Key Words Not In Traffic Surveillance Hyperthermia	Motor Vehicle Non-traffic Incident; Injury Severity	18. Distribution Statement General Public
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BACKGROUND IN09031

This incident was brought to our attention by the National Highway Traffic Safety Adminis-

tration (NHTSA) on June 16, 2009 by an internet news article. This investigation was assigned on September 14, 2009. This incident involved a 2006 Dodge Charger and a 23-month-old female child who had been left unattended in the vehicle. The incident occurred in June 2009, between the hours of 0600 and 1207, in Florida and was investigated by a county Sheriff's Office. The focus of this investigation is the death of the child who had been left unattended in the vehicle. The police completed an Offense Report, but the report was not submitted to the state. A remote investigation was conducted based on all available information. This report is based on the police report, on-scene vehicle photographs obtained from the investigating police agency, and the evaluation of the evidence.

#### INCIDENT CIRCUMSTANCES

Incident Environment: The incident occurred in a residential driveway which arced in a generally northeast-southwest direction (Figures 1 and 2). The driveway intersected a 2-lane, undivided, urban residential street, traversing in a north-south direction. The Dodge had been parked in the driveway, heading west-southwest (Figure 3), with its engine running and air conditioning on. During the daytime incident it was partly cloudy and the driveway pavement was dry. The Incident Diagram is on page 4.

**Pre-Incident:** According to the police report, the father of the child came home between 0445 and 0500 hours and was very tired. The driver had worked until around midnight and then socialized until the early morning hours. Instead of going to bed, the driver sat on the couch trying to stay awake because the child's mother needed a ride to work. After dressing the child who had awaken, the mother placed the child on the couch with the father. When the mother was ready, she had to awaken the father, who had fallen asleep, to drive



Figure 1: Overhead view of driveway in which incident occurred



Figure 2: Home where child occupant was found dead inside Dodge



Figure 3: On scene view of Dodge parked in driveway heading west-southwest

her to work. The mother placed the child in a booster seat located in the second row right seating position but did not secure the child with the vehicle's safety belts. After the mother was dropped off at work at 0600 hours, the father returned home (approximately 0630 hours). The sister-in-law

observed the driver and child sitting in the car, with the engine running, both when she left to take her own child to a relative and when she returned at 0713 hours. Presumably, the driver had fallen asleep inside the car. Some time later, the driver went into the house and fell asleep. Based on the available evidence, because of the driver/father's tiredness and inebriation (see below), the vehicle was left running but locked with the child still in the booster seat. According to the police, the vehicle's air conditioning was on and set to maximum cooling.

Incident: The sister-in-law of the father awoke around noon, recognized the quietness in the house, and went searching for the child since the child's normal activity should have awakened her. The sister-in-law found the child inside the running car (Figure 4) and awoke the father. The father unlocked the vehicle with a spare key (Figure 5). The sister-in-law indicated that the child was found sitting on top of the second row center arm rest, leaning to the right with her right hand resting on top of a booster safety seat (BSS). As mentioned previously, the child was blue in color and not breathing. The police reported that



Figure 4: Position of Dodge in driveway viewed from garage



**Figure 5:** On-scene view of interior of Dodge showing tint of right side window glazings

upon their arrival, the child was being rushed by medical rescue personnel to a waiting ambulance.

**Post-Incident:** The father removed the child from the vehicle and carried her into the garage; emergency personnel were contacted at 1207 hours and arrived shortly thereafter. The police arrived on scene at 1213 hours. The child was transported to a medical facility. When the police interacted with the father, they noted an overwhelming smell of alcohol<sup>1</sup> emitting from the father's breath.

A police officer reached into the vehicle and observed the positions of the air conditioning knobs and turned the ignition to the OFF position. The report notes that the interior temperature of the vehicle felt lukewarm (between warm and cool). Also noted in the report was that the fuel tank was at approximately the one-quarter full position.

<sup>&</sup>lt;sup>1</sup> There is no indication in the police report that the blood alcohol concentration (BAC) of the driver was ever measured.

The crime scene technician arrived at approximately 1315 hours and examined the vehicle and BSS. At 1355 hours the technician placed a standard thermometer in the BSS which was located in the right second seating position of the Dodge (**Figure 6**). The vehicle was closed up and the inside temperature was measured at 1411 hours. The measured temperature: 48.9 °C (120 °F), exceeded the maximum allowable reading of the thermometer. Following the police investigation, the Dodge was sealed for evidentiary purposes.



**Figure 6:** On-scene view of child booster seat in second row right position of Dodge

Weather data for the date and pertinent times were obtained from a nearby meteorological center and are presented in the table below.

T:	Tempe	perature Dew Point		Relative	Pressure	Heat Index		
Time	°C	°F	°C	°F	Humidity	mmHg	°C	°F
0542	22.8	73	23.0	73	100	29.96	24	75
0551	23.9	75	23.0	73	94	29.97	25	77
0558	23.9	75	22.8	73	94	29.97	25	77
0602	23.9	75	23.0	73	94	29.97	25	77
0656	25.0	77	23.0	73	88	29.98	26	79
0658	25.0	77	23.3	74	91	29.98	26	79
0758	27.2	81	22.2	72	74	30.00	30	85
0858	28.3	83	21.7	71	67	30.00	31	88
0958	29.4	85	21.7	71	63	29.99	32	90
1058	30.6	87	21.7	71	59	29.99	34	93
1158	31.1	88	21.7	71	57	29.97	34	94
1258	31.7	89	22.2	72	57	29.97	36	96

#### CASE VEHICLE

The 2006 Dodge Charger R/T (**Figure 4**) was a rear wheel drive, 5-passenger, 4-door sedan (VIN: 2B3KA53H96H-----) equipped with a 5.7-liter, 5-speed shiftable automatic transmission, and this vehicle's frontal air bags are certified by the manufacturer to be compliant to the

Advanced Air Bag portion of Federal Motor Vehicle Safety Standard (FMVSS) No. 208. The Dodge was equipped with height adjustable safety belts, height adjustable head restraints for the front seating positions, Lower Anchors and Tethers for Children (LATCH) system features, a tire pressure monitoring system, and power-adjustable pedals. The Dodge was towed and impounded. The vehicle was equipped with tinted windows (**Figure 5**), and all windows were closed that day. The available report made no indication that the vehicle was configured with any system to detect/alert for the presence of a child left in the vehicle.

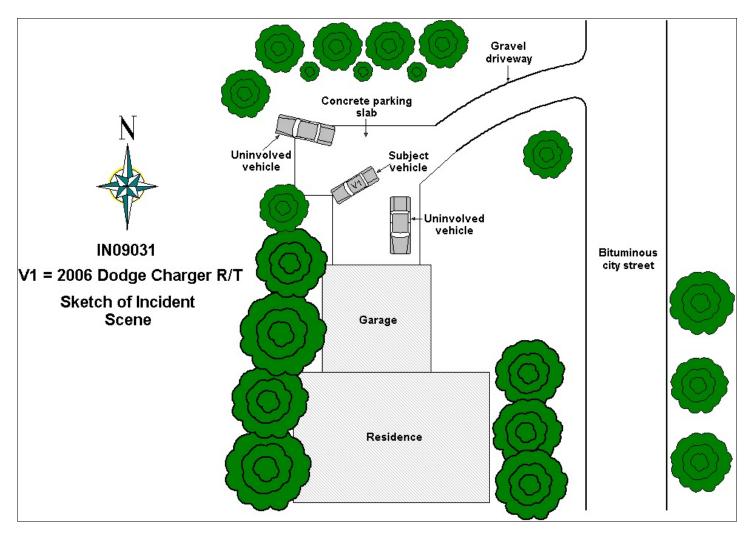
#### CASE VEHICLE SECOND ROW RIGHT PASSENGER

The second row right passenger of the Dodge (23-month-old, female) was seated in a BSS (**Figure 6**). The child was not restrained by the vehicle's lap-and-shoulder, safety belt system.

#### CASE VEHICLE SECOND ROW RIGHT PASSENGER INJURIES

The child passenger was transported by ambulance to the hospital and was pronounced dead at the hospital at 1224 hours. A post-mortem examination was conducted by the applicable county medical examiner's office, and the police were advised that there was nothing suspicious identified. The medical examiner's office stated that the child's death appeared to be a result of hyperthermia due to prolonged exposure to a heated environment.

INCIDENT DIAGRAM IN09031



## **SCENE FORM**

	SCENE INFORMATION
Case Number	7. Type of area in which crash occurred (Select all that apply)
	O Single family residential
IDENTIFICATION	O Row houses/townhouses
	O Multi family housing O Commercial
2. Date of Crash/	O Industrial
	O Rural O Unknown
3. Time of Crash	Olikilowii
	8. Driver exterior sightline obstructions
Code reported military time of crash.	(Select all that apply)
NOTE: Midnight = 2400	O None O Utility poles
Unknown = 9999	O Other vehicles O Signs O Building O Glare
	O Trees O Unknown
AMBIENT CONDITIONS	O Shrubbery O No driver present
4. Light Conditions	O Other (specify)
	9. Crash location
O Daylight O Dark	O Driveway O Road / street
O Dark but lighted	O Parking Lot O Roadside / shoulder
O Dawn O Dusk	O Sidewalk O Other (specify)
O Unknown	O Alley O Unknown O Intersection of driveway and sidewalk
- 4	·
5. Atmospheric Conditions (Select all that apply)	Non motorist sightline obstructions     (Select all that apply)
O Clear-No adverse conditions O Cloudy	O None O Other vehicles
O Rain	O Building
O Snow O Fog, Smog, Smoke	O Trees O Shrubbery
O Sleet, Hail (freezing rain or drizzle)	O Utility poles
O Blowing Snow	O Signs
O Severe Crosswinds O Blowing Sand, Soil, Dirt	O Glare O Other (specify)
O Other (specify):	O Unknown
O Unknown	+ / - 11. Grade at parked position %
6. Temperature	· · · · — — —
O Below 0 degrees Celsius (Below 32 F)	12. Estimated distance from parked position to impact
O 1-10 degrees Celsius (33-50 F)	m
O >10-24 degrees Celsius (51-75 F) O Over 24 degrees Celsius (Over 75 F)	13. Estimated speed at impactm kmph
O Unknown	+/ -
	14. Grade at impact %
	15. Estimated distance from impact to vehicle final
	rest
	m
	Unknown = 999 Reference Items 11,12, 13, 14, 15

## **VEHICLE FORM**

1. Case Number								
		VEHICLE IDEN	TIFICATION					
2. VIN	·							
3. Model Ye	ear							
4. Vehicle N	Make (specify	/):			_			
5. Vehicle N	Model (specif	y):			_			
		GLAZI	NG					
Location	Presence (check)	Status (select)	Clarity (select)	Tint (check)	Glazing Obstructions (specify if present)			
Windshield		Fixed / Closed / Open / Partially Open / Unknown	Clear / Hazy / Very Dirty / Unknown					
LF		Fixed / Closed / Open / Partially Open	Clear / Hazy / Very Dirty					
RF		Fixed / Closed / Open / Partially Open	Clear / Hazy / Very Dirty					
2 <sup>nd</sup> Left		Fixed / Closed / Open / Partially Open	Clear / Hazy / Very Dirty					
2 <sup>nd</sup> Right		Fixed / Closed / Open / Partially Open	Clear / Hazy / Very Dirty					
3 <sup>rd</sup> Left		Fixed / Closed / Open / Partially Open	Clear / Hazy / Very Dirty					
3 <sup>rd</sup> Right		Fixed / Closed / Open / Partially Open	Clear / Hazy / Very Dirty					
Backlight		Fixed / Closed / Open / Partially Open	Clear / Hazy / Very Dirty					
Left Backlight		Fixed / Closed / Open / Partially Open	Clear / Hazy / Very Dirty					
Right Backlight		Fixed / Closed / Open / Partially Open	Clear / Hazy / Very Dirty					
Roof		Fixed / Closed / Open / Partially Open	Clear / Hazy / Very Dirty					
Other (specify)		Fixed / Closed / Open / Partially Open	Clear / Hazy / Very Dirty					
TIRE DATA								
6. Vehicle	Manufactu	rer Recommended Tire Size _						
7. LF Tire	7. LF Tire Size 9. RF Tire Size							
8. LR Tire Size 10. RR Tire Size								

Seats / Head Restraint Data							
Seat Position	Seat Type (Select from below)	Head Restraint (Check if available)	Head Restraint Adjustment (select)	NOTES:			
Front Left			Full Down / Mid / Full Up				
Front Middle			Full Down / Mid / Full Up				
Front Right			Full Down / Mid / Full Up				
2 <sup>nd</sup> Left			Full Down / Mid / Full Up				
2 <sup>nd</sup> Middle			Full Down / Mid / Full Up				
2 <sup>nd</sup> Right			Full Down / Mid / Full Up				
3 <sup>rd</sup> Left			Full Down / Mid / Full Up				
3 <sup>rd</sup> Middle			Full Down / Mid / Full Up				
3 <sup>rd</sup> Right			Full Down / Mid / Full Up				

#### **Seat Type codes:**

0 = No seat or seat folded down

1 = Bucket

2 = Bucket w/ folding back

3 = Bench

4 = Bench with folding back cushions

5 = Bench w/ folding back

6 = Split bench w/ separate back cushions

7 = Split bench w/ separate folding back

8 = Pedestal (i.e. column supported)

9 = Box mounted (i.e. van type)

10= Other seat type (specify)

99= Unknown seat type

VEHICLE MEASUREMENTS							
Clearance Heights	Measurements (all from ground, and in centimeters	NOTES					
Beltline							
Top of trunk/tailgate							
Bottom of bumper							
Trailer hitch (if applicable)							
Undercarriage							
Sway bar							
Axle							
Differential							
Other (specify):							
Sensor Height (if equipped)							
Camera Height (if equipped)							

## **Back Up / Parking Aid Form**

1. Case Number	Video image quality under scene lighting conditions
PARKING AID PRESENCE  2. Type of backing/parking aid present	O None present O Good O Average O Poor (specify): O Unknown
O OEM camera O OEM ultrasonic/radar sensor O OEM combination camera-ultrasonic/radar sensor O OEM Fresnel lens O OEM interior mirrors O Aftermarket camera O Aftermarket ultrasonic/radar sensor O Aftermarket combination camera-ultrasonic radar sensor O Aftermarket Fresnel lens O Aftermarket interior mirrors O Other (specify):	8. Was the camera functioning properly  O None present O Yes O No, poor image quality due to glare O No, poor image quality due to atmospheric conditions O No, camera turned off O No, camera inoperable O Unknown  ULTRASONIC/RADAR SENSOR  Specify object detection range on diagram
CAMERA INFORMATION	System make/model
Specify field of view measurements on diagram	
3. System make/model  4. Video monitor type  O None present O LCD (color) O CRT (black & white) O Unknown  5. Video display size cm (Diagonal) 6. Camera location  O None present O Bumper O License plate O Trilleto (Latab Trunk	10. Auditory warning illumination  O No sensor present O Yes O No O Unknown  11. Number of sensors  12. Sensor locations (Select all that apply) O No sensor present O Left bumper O Center bumper O Right bumper O License plate area O Tailgate/Hatch/Trunk
O Tailgate/Hatch/Trunk O Other (specify):	13. Was warning system functioning properly O No sensor present O Yes, system alerted driver O No, system did not alert driver O No, system turned off O No, system inoperable O Unknown

Spe	ecial Crash Investigations – Not In Traffic Surveill	ance:	: Ba	ck Up	<b>Parkin</b>	g Aid I	Form	Page 2
14.	Did driver react to warning							
	O No sensor present O Yes O No O Unknown							
15.	Did driver report common false warnings							
	O No sensor present O Yes O No O Unknown							

## **DRIVER FORM**

Case Number	10. Driver entry interruption (Select all that apply)
DRIVER PROFILE  2. Driver's Age 99 = Unknown  3. Driver's Sex  O Male O Female O Unknown  4. Driver's Height 999 = Unknown	O Direct trip from building to vehicle O Loaded items into vehicle O Spoke with family O Spoke with neighbors O Spoke with contacted nonmotorist O Return trip (backing into driveway/lot) O Other (specify): O N/A Unknown 11. Purpose of backing
5. Driver's Weight 999 = Unknown  6. Driver eyewear worn (Select all that apply) O None O Eyeglasses O Sunglasses O Contacts O Unknown	O Leaving parking space in parking lot O Backing onto roadway from driveway O Entering parking space in parking lot O Backing into driveway from roadway O Other (specify): O N/A Unknown  12. Where was driver going Description:
7. Driver vision deficiency condition (Select all that apply) O None O Near sighted O Far sighted O Astigmatism O Other (specify) O Unknown	13. Driver in a hurry  O Yes N/A O No Unknown O Unknown  14. How did driver check behind (rear area of vehicle)
8. Non motorist's relationship to driver O No relationship O Child O Grandchild O Sibling O Neighbor O Friend O Other (specify): O Unknown  DRIVER ACTIONS	after vehicle entry (Select all that apply)  O Did not look O Checked mirrors O Turned right and looked back O Turned left and looked back Viewed Camera Listened for auditory/visual warning from system
9. Driver approach to vehicle for entry From left front O From left O From left rear O From right rear O From right front O Circled vehicle O Return trip (backing into driveway/lot) O Other (specify): O N/A O Unknown	O Other (specify):  N/A  Unknown  15. Estimated time between vehicle entry and start of backing  O 0-10 Seconds O 11-30 Seconds O 31-60 Seconds Unknown

	gament control of the		
16.	What direction was the driver looking during backing maneuver	19.	Did driver see struck non motorist prior to impact (Select all that apply)
	(Select all that apply) O Straight ahead O Right O Left O Rearward		O No, never saw non motorist O Saw non motorist prior to entering vehicle O Saw non motorist after entering vehicle O Other (specify): Unknown
	O At object inside the car	20	Fat time between start of backing and impost
	O At mirrors O Other (specify):	20.	Est time between start of backing and impact
	O N/A		O <2 or = 1 second O 2-5 seconds
17	Unknown		O 6-10 seconds
17.	Was the driver distracted during back up maneuver		O > 10 seconds
	(Select all that apply)		O N/A Unknown
	O No non-driving activities External	21.	Driver interior sightline obstructions (Select all that apply)
	O Looking at other vehicles O Looking at other non motorist O Looking at intended turn destination O External focus, not specified		O Pillar O Other occupant O Headrest O Other (specify) O Cargo O Unknown
	O Other external focus (specify):	22	None  Recent experience driving this vehicle
	Internal	22.	Recent experience driving this vehicle
	<ul> <li>O Looking at other occupant</li> <li>O Talking to passenger</li> <li>O Dialing phone</li> <li>O Talking on phone</li> <li>O Listening to radio/cd/portable playback device</li> <li>O Adjusting radio/cd player</li> <li>O Adjusting climate controls</li> </ul>		O More than 10 times the last three months O 6-10 times the last three months O 2-5 times the last three months O Less than 2 times the last three months O First time driving this vehicle O N/A Unknown
	O Using a device/controls integral to vehicle	23.	Frequency of driving in this parking lot/driveway
	(specify): O Reading/adjusting navigation system O Eating or drinking O Smoking related O Retrieving fallen object (specify): O Internal focus, not specified O Focused on other internal object		O Daily O Weekly O Several times a month O Monthly O Rarely O First time in lot/driveway O N/A Unknown
	(specify):	24.	. Driver Impairment
	O N/A Unknown		(Select all that apply)
18.	Driver avoidance actions prior to impact (Select all that apply)		O No drugs or alcohol present O Alcohol present (specify BAC):
	O None O Braking		O Drugs present (specify):O Unknown
	O Steering left O Steering right	25.	. Source of alcohol/drug results
	O Accelerating		O Police reported
	O Other (specify):O N/A		O Medical record
	Unknown		O Other (specify) O Not Tested
			Unknown if tested

## Non Motorist Form

1. Case Number	11. Non-motorist motion
NON-MOTORIST PROFILE	O Not moving O Walking slowly O Walking rapidly
2. Non-motorist's Age Years 99 = Unknown	<ul><li>S O Running or jogging</li><li>O Skipping/Hopping/Jumping</li><li>O Falling/Stumbling/Rising</li></ul>
3. Non-motorist's Sex O Male O Female O Unknown	O On skates/skateboard O On bike/scooter O Other (specify): O Unknown
4. Non-motorist's Height cm 999 = Unknown	12. Non-motorist approach relative to rear of vehicle
<ul><li>5. Non-motorist's Weight kg</li><li>999 = Unknown</li><li>6. Medical outcome</li></ul>	O Stationary O From left O From right O From behind O Other (specify):
O Not injured O ER only O Hospitalized 1-4 days	O Unknown  13. Non-motorist first avoidance action
<ul><li>O Hospitalized 5 days or more</li><li>O Treatment later</li><li>O Fatal</li><li>O Unknown</li></ul>	O No avoidance actions O Stopped O Accelerated pace O Ran away (along vehicle path)
7. Source of most severe injury Bumper O Tire O Undercarriage O Other Specify: O Ground	O Jumped O Turned away from vehicle O Turned toward vehicle and braced O Dove or fell away from vehicle O Other (specify): O Unknown
O N/A Unknown	14. Non-motorist primary focus of attention
8. Non-motorist impairment (Select all that apply) O No drugs or alcohol present O Positive for alcohol (specify BAC): O Positive for drugs (specify): O Unknown	O Striking vehicle O Play object O Person O Surrounding traffic O Animal O Handheld electronic (phone, MP3 player, etc.)
Source of alcohol/drug results     Police reported     Medical Report	O Other Object (specify) O Unknown  15. Were any other Non-motorists present?
O Other (specify) O Not Tested O Unknown if tested	(Select all that apply) O Alone
NON-MOTORIST ACTIONS	O One adult present O One other child present
10. Non-motorist attitude	O Multiple adults present O Multiple children present O Unknown
O Standing O On skates/skateboard O Bending at waist O On bike/scooter O Sitting O Other (specify) O Crouching O Unknown O Kneeling	O Ulikilowii

#### NON MOTORIST CLOTHING

#### **NOTES:**

White

• Specify Color, Fabric and Texture/Weight for outermost layer only

Other (specify)

- Indicate "NONE" if applicable
- Available codes:

<u>Colors</u>		<u>Fabrics</u>	<u>Textures</u>	<u>Weights</u>
Black	Charcoal gray	Natural	Soft	Heavy
Lt gray/silver	Brown	Synthetic	Slick	Medium
Gold/tan	Purple	Blend	Coarse	Light
Dark blue	Light blue			_
Dark green	Light green			
Maroon	Red			
Orange	Yellow			

	Clothing	Color	Fabric	Texture	Weight
H E A D W E A	Hat				
	Helmet				
	Hood				
	Other (specify):				
R					
U	Short Sleeve				
P E R B	Long Sleeve				
	Light Jacket				
	Heavy Jacket				
O D	Other (Specify):				
Y					
L O	Shorts				
W E R	Pants				
R B O D Y	Shoes				
	Other (specify):				