

Risk Control

Sample Vehicle Safety Program for Non-regulated Fleets

This is a sample Safety Program. You should modify it as needed to suit your organization's specific operations. It covers a policy statement, program goals, program responsibilities, authorization of driving privileges, authorized vehicle use, driver MVR checks, identification of high risk drivers, management controls for high risk drivers, accident reporting, other reporting responsibilities of "assigned drivers", training, and safety regulations.

Also provided in an appendix are a glossary of terms, driver history form, accident investigation report, guide for determining accident preventability and, finally, a fleet safety program acknowledgment form.

For more information, visit our Web site at travelers.com/riskcontrol, contact your Risk Control consultant or email Ask-Risk-Control@travelers.com.



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THE SAMPLE COMPANY FLEET SAFETY PROGRAM

I. POLICY STATEMENT

The Sample Company Fleet Safety Program establishes guidelines and procedures to be followed to protect the safety of individuals operating any motor vehicle on company business. Protecting our employee drivers, their passengers, and the general public is of the highest priority to the Company.

The commitment of management and employees is critical to the success of this program. Clear communication of and strict adherence to the program's guidelines and procedures are essential.

DEFINITIONS: (See [Appendix A](#) for additional definitions.)

COMPANY VEHICLE: A motor vehicle owned by or leased to the company, including a temporary replacement vehicle.

MOTOR VEHICLE: "Company Vehicle" or any other motor vehicle while being operated on company business.

DRIVER: Any employee assigned a "Company Vehicle" or who operates a "Motor Vehicle".

II. PROGRAM GOALS

The primary goal of the Fleet Safety Program (FSP) is to maintain a high level of safety awareness and foster responsible driving behavior.

"Driver" safety awareness and responsible driving behavior will significantly decrease the frequency of "Motor Vehicle" accidents and reduce the severity of personal injuries and property damage.

"Drivers as defined in this program must follow the requirements outlined in this program. Violations of this program may result in disciplinary action up to and including suspension of driving privileges or dismissal.

III. PROGRAM RESPONSIBILITIES

Everyone shares in the responsibility to make the FSP a success. To avoid confusion or misunderstanding, specific program responsibilities are outlined as follows:

A. Drivers

"Drivers" are required to:

1. Read, understand and follow the requirements contained in this program;
2. Participate in company-sponsored activities or programs designed to improve driver safety;

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3. Maintain a valid driver's license and adhere to license restrictions;
4. Complete the [Driver History Form](#), and thereby provide signed permission for the company or its designated representative to obtain "Motor Vehicle Records", and
5. Sign the [Fleet Safety Program Acknowledgment Form](#).

B. District Managers

District Managers will:

1. Implement the FSP within their respective district and ensure accountability for program requirements;
2. Ensure the [Driver History Forms](#) are completed by each "Driver" and forwarded to the Corporate Risk Manager;
3. Ensure that the [Fleet Safety Program Acknowledgment Form](#) is signed by each driver and kept in employee's file;
4. Be responsible for taking appropriate action to manage "High Risk Drivers" as defined by this program;
5. Ensure that all "Drivers" participate in company safe driving training programs;
6. Secure and retain training documentation for all safe driving training;
7. Investigate all "Accidents" and ensure that Accident Reports are completed as described in [Section IX - Accident Reporting](#).

C. Corporate Risk Manager

The Corporate Risk Manager will:

1. Serve as a technical resource to the District Managers, ensuring the continuous development and maintenance of the FSP;
2. Help evaluate "High Risk Drivers" and advise management on instituting any additional driving restrictions/limitations;
3. Evaluate and approve driver training curriculum;
4. Provide driver training resources;
5. Revise and disseminate changes to the FSP;
6. Issue periodic reports for management review and action;
7. Obtain and review "Motor Vehicle Reports" (MVR) and accident information to ensure that "High Risk Drivers" are identified and brought to the attention of management;

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8. Forward MVR reports to the appropriate District Manager;
9. Provide comprehensive and cost effective risk management measures to protect the company's assets;
10. Allocate vehicle accident costs to the respective district; and
11. Assist in the evaluation of program effectiveness through detailed loss analysis.

IV. AUTHORIZATION OF DRIVING PRIVILEGES

District Managers will not assign or allow the use of a "Motor Vehicle", if:

- A. The "Driver" does not have a valid operator's license issued by their state of residence; or if
- B. The "Driver" possesses licenses from more than one state, or if
- C. The "Driver's" license is suspended or revoked for any reason.

In addition, a "Driver" will be subject to termination if his/her license is revoked, unless a suitable replacement non-driving job in the company is available; or the employee may be subject to other disciplinary action if his/her license is only temporarily suspended.

V. AUTHORIZED VEHICLE USE

A. Personal Use of "Company Vehicle"

A "Company Vehicle", when not used for business purposes, may be driven for personal use AT THE DISCRETION OF THE DISTRICT MANAGER. However, personal use is limited to the assigned "Driver".

District Managers may implement other personal use restrictions, such as radius of operation, at their discretion. However, any such additional restrictions must be in writing and communicated to all affected "Drivers".

The privilege of driving a "Company Vehicle" for personal use is subject to change by the company at any time.

B. Unauthorized Use of "Company Vehicles"

If a "Driver" allows an unauthorized individual to drive a "Company Vehicle", disciplinary action may be taken, up to and including suspension of driving privileges or dismissal of the "Driver"

If the unauthorized use results in an accident, in addition to whatever disciplinary action may be taken, the responsible employee may be required to make restitution for the physical damages to the "Company Vehicle".

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C. "Non-Company Vehicles" Used For Business

Employees who drive "Non-Company Vehicles" while conducting business for the company are subject to all the provisions and standards of this program.

Additional responsibilities include:

1. Maintaining automobile liability insurance limits of at least \$100,000 per person, \$300,000 per accident, and \$50,000 property damage; but in no case less than the minimum required by law for the state in which the driver resides; (refer to your insurance agent for recommended minimum limit levels and "business use" provisions)
2. Maintaining current state vehicle inspection if the state requires one; and
3. Maintaining their "Non-Company Vehicle" in safe operating condition.

USE OF A MOTORCYCLE FOR COMPANY BUSINESS IS PROHIBITED.

VI. DRIVER MVR CHECKS

A. Initial MVR Checks

1. EMPLOYEE APPLICANTS:

If an employee applicant is to be a "Driver", the District Manager will obtain a completed [Driver History Form](#) (See Appendix B) from the applicant and forward it to the Corporate Risk Manager. The Corporate Risk Manager will use the form to obtain a MVR for evaluation.

In the event an employee-applicant is hired and must begin driving on company business prior to receipt of the MVR, the District Manager must, as a minimum, carefully review the applicant's [Driver History Form](#) before granting driving privileges.

Also, each employee-applicant should be informed in writing by the District Manager that employment is conditional upon receipt of a satisfactory MVR; that is, an MVR not meeting the definition of a "HIGH RISK DRIVER".

If the information on the MVR or [Driver History Form](#) indicates that the new employee is a "High Risk Driver", the District Manager may, after careful consideration, grant driving privileges, but only on a probationary basis.

EVERY ATTEMPT SHOULD BE MADE TO SECURE AND EVALUATE A MVR ON EACH NEW "DRIVER" BEFORE DRIVING PRIVILEGES ARE GRANTED.

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2. EXISTING EMPLOYEES:

If an existing employee is changing from a non-driving position to a position requiring driving on company business, the employee must complete and sign a [Driver History Form](#).

The District Manager will forward the form to the Corporate Risk Manager, so an MVR can be ordered and evaluated prior to granting a change in job status.

B. Periodic MVR Checks

The Corporate Risk Manager will obtain MVRs every two years for all existing "Drivers".

In addition, the Company maintains the right to conduct periodic and random review of MVRs at its discretion.

C. Distribution of MVRs

The Corporate Risk Manager will distribute MVRs to the appropriate District Manager. The District Manager is responsible for filing the MVR in the employee's file.

VII. IDENTIFICATION OF HIGH RISK DRIVERS

A "Driver" will be classified as a "High Risk Driver" if the MVR check so indicates, or if it is otherwise determined, that the driver has one or more of the following violations within the last 5 years:

1. Conviction for an alcohol and/or drug related driving offense;
2. Refusal to submit to a Blood Alcohol Content (BAC) test;
3. Conviction of speeding in excess of 25 MPH.
4. Criminal conviction (e.g., felony, negligent homicide, manslaughter, hit and run, etc.

Other violations incurred in the last 3 years:

1. Any combination of three or more moving violations, "At Fault Accidents", or "Preventable Accidents";
2. Driving with a suspension, revocation or administrative restriction;
3. Leaving the scene of an accident as defined by state laws
4. Reckless driving.

Other violations incurred in last 12 months

1. Any combination of two or more moving violations, "At Fault Accidents", or "Preventable Accidents".

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VIII. MANAGEMENT CONTROLS FOR HIGH RISK DRIVERS

If an employee is identified as a "High Risk Driver", the District Manager must choose either Option 1 or Option 2:

A. Option 1: Probation

The District Manager must do all of the following:

1. Place the "High Risk Driver" on probation (ending two years from the date of the most recent violation);
2. Obtain a MVR from the Corporate Risk Manager every six months for the duration of the probationary period;
3. Notify the Corporate Risk Manager of any additional violations while the employee is on probation;
4. Immediately suspend driving privileges if any single repeat violation or an additional violation occurs while on probation as described in Section VII - OR if any terms of probation are violated. Notify the Corporate Risk Manager immediately;
5. Confer with the Corporate Risk Manager on any stipulations, operating limitations, or other conditions (for consistency between Districts), such as:
 - a. Loss of all "Company Vehicle" driving privileges;
 - b. Loss of "Company Vehicle" driving privileges between work and home;
 - c. Loss of personal use privileges (if applicable - see [Section V. A.](#));
 - d. Referral of the "Driver" to the Employee Assistance Program;
 - e. Transfer of the "Driver" to a non-driving position; or
 - f. Additional driver training.
6. The terms of the probation are to be made to the employee in writing. The employee will be required by signature to signify that he/she has been informed of the probation terms and duration. The signed terms of probation should be kept in the employee's file.
7. If the probationary period has been served and if reinstatement of driving privileges is warranted, the District Manager should notify the Corporate Risk Manager.

B. Option Two: Suspension of Driving Privileges

The District Manager must suspend all company driving privileges. The "High Risk Driver" will NOT be authorized to drive a motor vehicle at any time on company business.

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This action may result in the District Manager either transferring the employee to a non-driving position, if such a position exists, or the employee may be subject to dismissal procedures.

The employee may reapply for company driving privileges after one year of suspension. Application should be made to the District Manager. If approved, the employee's driving status will change from suspension to probation. However, reinstatement of driving privileges by the District Manager does not constitute an offer by the company for any "Driver" position. Normal job posting procedures will still have to be followed.

IX. ACCIDENT REPORTING

A. Accident Reporting

1. Supervisor Notification - the "Driver" is required to notify his/her immediate supervisor of any "Accident" as soon as is practical.

In addition, District Managers are responsible for reporting "Serious Accidents" to the Corporate Risk Manager.

- plus -

2. Company Vehicles - The "Driver" should call the company's automobile insurance carrier as outlined in the Accident Reporting Kit supplied with the vehicle;

Non-Company Vehicles - The "Driver" should call his/her personal automobile insurance carrier;

Daily Rental Vehicles - The "Driver" should notify the rental company.

B. Accident Reporting Kits

Every "Company Vehicle" is required to have an *Accident Reporting Kit* in the glove box. This kit should be used by the driver to record accident facts as soon after the accident as is reasonably feasible.

The "Driver" should give the completed *Accident Reporting Kit* to their immediate supervisor.

The supervisor should make a copy of the completed kit (for use by the supervisor during his/her accident investigation) and then mail the original to the company's insurance carrier per the instructions in the kit.

C. Accident Investigation

1. Completing the Accident Investigation Report Form

The immediate supervisor of the "Driver" is responsible for completing the [Accident Investigation Report](#) (see Appendix C) for all "Accidents".

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This report should be completed as soon after the accident as is reasonably feasible.

To complete the report, the supervisor should:

- a. observe the accident scene and damaged vehicle(s);
- b. obtain a copy of the police report, if available;
- c. review the completed *Accident Reporting Kit* obtained from the "Driver"; and
- d. interview the "Driver".

2. Determining Accident Preventability

The supervisor will make a determination as to the preventability of the "Accident", and record this determination in the applicable section of the [Accident Investigation Report Form](#).

The [Guide To Determining Motor Vehicle Accident Preventability](#) (Appendix D) may be used by the supervisor to assist in making the determination.

3. Accident Investigation Review

The District Manager is responsible for reviewing the completed [Accident Investigation Report Form](#) and initiating any actions to prevent the reoccurrence of similar accidents by this "Driver" or district "Drivers".

X. OTHER REPORTING RESPONSIBILITIES OF DRIVERS

A. Supervisor Notification: "Drivers" are required to notify their immediate supervisor immediately of:

- 1. Any illness, injury, physical condition or use of medication that may impair or affect their ability to safely drive a "Motor Vehicle"; or
- 2. The suspension, revocation or administrative restriction of his/her operator's license. If this occurs, the "Driver" must also immediately discontinue use of the "Motor Vehicle".

FAILURE TO REPORT UNDER THE PROVISION OF SECTION IX AND X IS A VIOLATION THAT COULD RESULT IN DISCIPLINARY ACTION, UP TO AND INCLUDING DISMISSAL.

XI. TRAINING

All "Drivers" are required to complete initial safe driving training.

In addition, other topics and materials will be provided by the Corporate Risk Manager for periodic safe driving training.

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District Managers are encouraged to contact the Corporate Risk Manager for any specific training needs.

It is the District Manager's responsibility to see that all driver training is documented. Documentation should include the course name, date completed, and driver's name and identification number.

XII. SAFETY REGULATIONS

A. Vehicle Safety Belts

The "Driver" and ALL OCCUPANTS are required to wear safety belts when operating or riding in a "Motor Vehicle". The "Driver" is responsible to ensure all passengers are wearing their safety belts. Children under four years of age or under 40 pounds in weight are required to be secured in a Department of Transportation (DOT) approved child safety seat, unless more restrictive state requirements apply.

B. Impaired Driving

A "Driver" may not operate a "Motor Vehicle" at any time, when his/her ability is impaired, affected, or influenced by alcohol, illegal drugs, medication, illness, fatigue or injury.

C. Traffic Laws

All "Drivers" are required to abide by all federal, state, and local motor vehicle regulations, laws and ordinances.

D. Vehicle Condition

Each "Driver" is responsible for ensuring that the "Motor Vehicle" is maintained in safe driving condition. At least daily, a walk-around safety inspection by the "Driver" is required.

"Drivers" of daily rental cars should check for obvious safety defects before leaving the rental lot and request another vehicle if the first vehicle is not safe to drive. "Drivers" are encouraged to utilize daily rental cars which have air bags and/or ABS brakes when available in authorized rental class.

E. Headlights On Requirement

"Drivers" are required to drive with vehicle headlights on at all times.

F. Use of Cell Phones and Other Electronic Equipment

The use of technology (cellular phones, pagers, laptop computers, etc.) has proven to be very effective in improving productivity and customer service. However, there are serious risks associated with usage of this equipment while driving a company or personal vehicle. The availability of this technology is not intended to encourage

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dangerous behavior during the course of your work or personal life. Responding to pagers, using a laptop computer while driving, and dialing or receiving calls are potentially dangerous. We, therefore, discourage this activity. The intended benefit of this technology is to help you eliminate the search for pay phones or other means of communication and allow you to place calls at a time and place that is convenient and safe for you. Your safety and the safety of others are of the utmost importance to us. You must follow these guidelines to make safety your first priority when behind the wheel of a vehicle:

1. Do not use your telephone, pager or laptop while driving. If you receive a call, for example, pull off the road and park in a safe place before taking the call. The side of the road is not a safe location. Examples of safe locations are rest stops, parking lots and other areas away from traffic.
2. If you have taken a call when it is not safe to do so, let the caller know you will return the call as soon as it is appropriate.
3. Place your calls or use your laptop before you begin your trip or while you are stationary between appointments.
4. Save potentially stressful or emotional conversations for a time when you are not on the road at all.
5. Do not dial, take notes, or look up numbers while driving. Know your wireless phone and its features. Carefully read your instruction manual and learn to take advantage of its features. These guidelines also apply to hands free units.

G. Use of GPS/Navigation Systems

1. **Selection and Installation of Navigation/GPS units.** Navigation/GPS units should be chosen with the following characteristics:
 - Laptop Navigation/GPS units should be avoided in favor of built-in navigation units or, if built-in navigation is not available, dedicated Navigation/GPS units.
 - Navigation/GPS units should have audible turn-by-turn directions to minimize the need to view the screen while driving.
 - Navigation/GPS units should be chosen and configured so as not to allow making changes to destination or conduct similar on-screen keying activities while the vehicle is in motion.
 - Navigation/GPS units should be mounted so as to be near the line-of-sight, but not obstructing the driver's view. If not built-in, any wiring to power the unit or used to interface through the vehicle's sound system should be run so as not to interfere with any driver controls (e.g. steering wheel, brake pedal, accelerator).
 - Map databases should be maintained as current as possible to avoid giving wrong instructions.
 - Units should be securely and properly mounted so as to be able to withstand multidirectional forces while the vehicle is in motion.

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2. Using Navigation/GPS units.

- Caution should be taken when viewing the Navigation/GPS screen to make only short glances when the vehicle is moving.
- Increased following distance is also encouraged when viewing the screen and looking for street signs, addresses, etc.
- For units equipped with Navigation/GPS text messaging to the driver's supervisor, the vehicle must be stopped to operate unless the passenger is able to operate the system.

H. Additional Safety Rules

"Drivers" may not:

1. pick-up hitchhikers;
2. accept payment for carrying passengers or materials (this does not apply to company endorsed car pools);
3. use any radar detector, laser detector, or similar devices;
4. push or pull another vehicle, or tow a trailer without authorization;
5. transport flammable liquids and gases unless a DOT or UL approved container is utilized, and only then in limited quantities and only when necessary;
6. use ignition or burning flares. The preferred method is the use of reflective triangles; or
7. assist disabled motorists or accident victims beyond the level of their medical training: EMT, CPR, Basic First-Aid, etc. If a driver is not qualified to provide the above services, he/she must restrict his/her assistance to calling the proper authorities.

Note: The Appendices begin on the next page.

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GLOSSARY OF TERMS

ACCIDENT: Any incident involving a "Motor Vehicle" that results in bodily injury or property damage.

DRIVER: An employee assigned a "Company Vehicle" or who operates a "Motor Vehicle".

AT FAULT ACCIDENT: An "Accident" where the "Driver" received a moving violation ticket issued by a police officer.

COMPANY VEHICLE: A motor vehicle owned by or leased to the company, including a temporary replacement vehicle.

HIGH RISK DRIVER: Any driver on probation or whose driving history meets the criteria outlined in Section VII - "Identification of High Risk Drivers."

MOTOR VEHICLE: A "Company Vehicle"; or any other motor vehicle while being operated on company business.

MOTOR VEHICLE RECORD (MVR): A document supplied by the appropriate State Department of Motor Vehicles providing information on motor vehicle violations and license status of a specific driver.

NON-COMPANY VEHICLE: Any motor vehicle used on company business not provided by the company, including privately owned, leased, or rented vehicles. This definition does not include motorcycles.

PREVENTABLE ACCIDENT: Any "Accident" where the "Driver" could have avoided the accident.

SERIOUS ACCIDENT: Any "Accident" where there is a fatality, or an injury requiring the transportation of the injured party from the accident site to a medical treatment facility.

THE SAMPLE COMPANY - DRIVER HISTORY FORM

Driver's Name (Print): _____

Home Address: _____

City: _____ State: _____ Zip: _____

Office Location: _____

1. Do you have a valid Driver's License? Yes ___ No ___
2. In what State are you a Licensed Driver? _____
3. If you have held a license in any other state during the past 36 months, please provide the following information:

<u>Dates</u>	<u>State</u>
From _____ to _____	_____
From _____ to _____	_____
From _____ to _____	_____

4. Have you been convicted of driving while impaired or under the influence of alcohol and/or drugs within the past three years? Yes () No ()
If Yes, give explanation(s) and date(s):

5. Have you refused to submit to a Blood Alcohol Content (BAC) test within the past three years? Yes () No () If Yes, give explanation(s) and date(s):

6. Have you been convicted of reckless driving, or leaving the scene of an accident, or committing a felony involving a vehicle within the past three years? Yes () No ()
If Yes, give explanation(s) and date(s):

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7. Have you had your operator's license suspended, revoked or administratively restricted within the past three years? Yes () No () If Yes, give explanation(s) and date(s):

8. Have you been convicted or found at fault for any non-fatal accident involving a motor vehicle during the past three years? Yes () No() If Yes, list the date(s):

9. Have you been convicted or found at fault for any fatal accidents involving a motor vehicle during the past three years? Yes () No () If Yes, list the date(s):

10. Have you been convicted of any other moving vehicle violations during the past three years? Yes () No () If Yes, list type(s) and date(s):

I certify that the answers provided to the questions on this form are true to the best of my knowledge.

I authorize The Sample Company or its designated representative(s) to obtain information regarding my driving record in any state at any time while I am employed by (or seeking employment with) the company.

I understand that any misstatement of the facts on this form may be grounds for termination of employment.

In the event that my MVR indicates that I am a "High Risk Driver" as defined in the glossary of the Fleet Safety Program, I understand that I may be subject to dismissal.

_____ Driver's signature	_____ Date	
_____-_____-_____ Social Security Number	___ Male ___ Female Sex	_____ Date Of Birth
_____ Driver's License Number	_____ Expiration Date	_____ State
_____ District Manager's Name (Print)		

Important Note: Attach photocopy of both sides of driver's license

SUPERVISOR'S ACCIDENT INVESTIGATION REPORT Motor Vehicle

(Please Print - use back of form as needed for additional information)

Driver's Name:		Accident Date:	
Safety Belts Used? Driver: <input type="checkbox"/> Yes <input type="checkbox"/> No		Passengers: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Did You:			
<input type="checkbox"/> Yes <input type="checkbox"/> No	View accident scene?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Review the driver's completed accident report?
<input type="checkbox"/> Yes <input type="checkbox"/> No	Observe damaged vehicles?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Review the "Guide to Accident Preventability"?
<input type="checkbox"/> Yes <input type="checkbox"/> No	Interview witnesses?		
<input type="checkbox"/> Yes <input type="checkbox"/> No	Obtain the police report?		
Preventable* Accident? (*see back of form)		Non Preventable* Accident?	
<input type="checkbox"/> Backing	<input type="checkbox"/> Speed too fast for conditions	<input type="checkbox"/> Hit by other car	
<input type="checkbox"/> Turning	<input type="checkbox"/> Failure to signal intentions	<input type="checkbox"/> Hit while legally parked	
<input type="checkbox"/> Parking	<input type="checkbox"/> Disregard of traffic signal	<input type="checkbox"/> Hit in rear	
<input type="checkbox"/> Passing	<input type="checkbox"/> Assuming right of way	<input type="checkbox"/> Struck by debris	
<input type="checkbox"/> Following distance	<input type="checkbox"/> Driving in wrong lane	<input type="checkbox"/> Vandalism	
<input type="checkbox"/> Diverted attention	<input type="checkbox"/> Starting and stopping	<input type="checkbox"/> Windshield	
<input type="checkbox"/> Misjudging clearance		<input type="checkbox"/> Stolen while locked	
<input type="checkbox"/> Failure to maintain vehicle		<input type="checkbox"/> Fire	
<input type="checkbox"/> Driving under influence of drugs and/or alcohol		<input type="checkbox"/> While being towed by tow truck	
Incident Description	Describe clearly and in detail how the accident occurred (What, Where, When, Who, and How)		
Analysis	What act, failure to act and/or conditions contributed most directly to this accident? What are the root or fundamental causes of the accident?		
Controls	What action have you taken or recommended to prevent a reoccurrence by this driver or other district drivers?		
Investigated By:		Date:	

Routing: District Manager
 District File

Attachments: Police Report
 Driver's Accident Report

(Back of form)

Definition of An Accident

Any incident involving a "Motor Vehicle" as defined in the SAMPLE Company Fleet Safety Program that results in bodily injury or property damage.

Definition of a Preventable Accident

Any "Accident" where the employee could have avoided the accident.

Guide for Determining Motor Vehicle Accident Preventability

Introduction

This guide can be used to help determine whether an accident was preventable on the part of the driver. It outlines several common types of accidents and questions to consider during the accident investigation process.

Accident investigators are expected to obtain as many facts as possible about an accident and to consider all the circumstances surrounding an accident before determining preventability. If needed, safety groups, trade associations, and organizations such as the National Safety Council can provide assistance in determining whether an accident was preventable.

The generally accepted definition of a preventable accident is one where the driver failed to do everything reasonable to avoid it. Drivers are expected to drive defensively. Which driver was primarily at fault, who received a traffic citation, or whether a claim was paid has little bearing on preventability. **If there was anything the driver could have done to avoid the collision, the accident was preventable.**

General Questions To Consider

When judging accident preventability, there are some general questions to consider. Further on in this guide are some specific situations to consider.

1. Does the investigation indicate that the driver considers the rights of others, or is there evidence of poor driving habits that need to be changed?
2. Does the investigation indicate driver awareness? Such phrases as "I did not see," "I didn't think," "I didn't expect," or "I thought" are signals indicating there probably was a lack of awareness, and the accident was preventable. An aware driver should think, expect, and see hazardous situations in time to avoid collisions.
3. Was the driver under any physical handicap that could have been contributory? Did the accident happen near the end of a long day or long drive? Did overeating contribute to fatigue? Did the driver get prior sufficient sleep? Is the driver's vision faulty? Was the driver feeling ill?
4. Was the vehicle defective without the driver's knowledge? Was a pre-trip inspection done, and would it have discovered the defect? A car that pulls to the left or right when the driver applies the brakes, faulty windshield wipers, and similar items are excuses, and a driver using them may be trying to evade responsibility. Sudden brake failure, loss of steering, or a blowout might be defects beyond the driver's ability to predict. However, pre-trip inspections and regularly scheduled maintenance should prevent most of these problems. If either of these are the cause of the accident, then the accident was probably preventable by the driver.

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5. Could the driver have exercised better judgment by taking an alternate route through less congested areas to reduce the hazardous situations encountered?
6. Could the driver have done anything to avoid the accident?
7. Was the driver's speed safe for conditions?
8. Did the driver obey all traffic signals?
9. Was the driver's vehicle under control?

Specific Types of Accidents

Intersection Collisions

Accidents resulting from the driver's failure to yield the right-of-way, regardless of who has the right of way, as indicated by stop signs or lights, are preventable. The only exception to this is when the driver is properly proceeding through an intersection protected by lights or stop signs and the driver's vehicle is struck in the rear. Regardless of stop signs, stop lights, or right-of-way, a defensive driver recognizes that the right-of-way belongs to anyone who assumes it and should yield accordingly.

Questions to consider:

1. Did the driver approach the intersection at a speed safe for conditions?
2. Was the driver prepared to stop before entering the intersection?
3. At a blind corner, did the driver pull out slowly, ready to apply the brakes.
4. Did the driver look both ways before proceeding through the intersection?

"U" turns disrupt the normal smooth flow of traffic. Accidents which occur while this maneuver is being attempted by our driver are considered preventable.

Sideswipes

Sideswipes are often preventable. Defensive drivers avoid getting into positions where they can be forced into another vehicle or vice versus. Defensive drivers continuously check for escape routes to avoid sideswipes. On two-lane roads, this means a driver should pass another vehicle only when absolutely certain that he or she can safely complete the pass. A driver should also be ready to slow down and let a passing vehicle that has failed to judge safe passing distance back into the lane.

A driver should avoid making sudden maneuvers that could force another vehicle to swerve. If a driver sideswipes a stationary object while taking evasive action to avoid striking another car or a pedestrian, the accident may be preventable. However, you should consider what the driver could have done or failed to do immediately preceding the evasive action to be in the position of no other options.

Risk Control

A driver is also expected to anticipate the actions of oncoming vehicles. Sideswiping an oncoming vehicle is often preventable. Again, evasive action, including leaving the roadway, may be necessary if an oncoming vehicle crosses into the driver's lane.

Drivers are expected to allow other motorists to merge smoothly with them, and to merge smoothly on controlled access highways.

Sideswipes to doors of a vehicle that are opened when the vehicle is in motion are considered preventable.

Drivers are expected to be able to gauge distances properly when leaving a parking place and enter traffic smoothly.

Questions to consider:

1. Did the driver look to the front and rear for approaching and overtaking traffic immediately before starting to pull away from the curb?
2. Did the driver signal before pulling away from the curb?
3. Did the driver look back rather than depend only upon rear-view mirrors?
4. Did the driver start into traffic only when this action would not require traffic to change its speed or direction in order to avoid his or her vehicle?
5. Did the driver yield the right-of-way before changing lanes?
6. Did the driver check to ensure all blind spots were clear before changing lanes or merging?
7. Did the driver use the appropriate signals before changing lanes or merging?

Head-on Collision

A head-on collision with a vehicle traveling in the wrong lane may be preventable if the driver could have pulled off the road or taken other evasive action to prevent a collision. However, the driver should never drive into the other lane to avoid an oncoming vehicle. If the driver swerved off the road to avoid a head-on collision, the accident is nonpreventable. The driver in this case made a good defensive driving decision, choosing the lesser of two evils.

Loss-of-Control

Many loss-of-control accidents are associated with adverse weather or road conditions, such as rain, freezing rain, fog, ice, and snow, which all increase the hazard of travel. Oily road film, which builds up during a period of good weather, causes an especially treacherous condition during the first minutes of a rainfall. Other times, loss of control is attributed to driving too fast to safely control the vehicle in curves or to react to unexpected road hazards. Loss of traction can be anticipated, and these accidents usually are preventable. Driving too fast for conditions is the most common reason why these types of accidents are preventable.

Risk Control

Questions to consider:

1. Was the driver operating at a safe speed considering weather and road conditions?
2. During inclement weather was the driver keeping at least twice the safe following distance used for dry pavement?
3. Were all actions gradual?
4. Was the driver anticipating ice on bridges, in gutter, ruts, and near the curb?
5. Was the driver alert for water, ice or snow in shaded areas, loose gravel, sand, ruts, etc.?
6. Did the driver keep out of other vehicle tracks or cross them at wide angles?
7. Did distraction or fatigue play a contributing role?
8. Was the driver alert for, and prepared to respond safely to, sudden hazards such as other motorists?

Rear-end Collisions

Rear-end collisions are nearly always considered preventable. Defensive drivers are expected to control the space in front of their vehicles at all times, allowing sufficient following distance to slow down or stop in time to avoid a collision. Defensive drivers understand the need to remain alert for sudden changes in traffic conditions and for other motorists who may fail to yield the right-of-way. Rear-end accidents that result from driving too fast for traffic or road conditions are preventable. Inattentiveness caused by distraction or fatigue can also play a contributing role in preventable rear-end accidents.

Questions to consider:

1. Was the driver maintaining the appropriate following distance for the prevailing road, traffic, and weather conditions?
2. Was the driver alert and attentive? Did the driver's work and rest schedule during the previous days suggest that he or she was tired or fatigued?
3. Did the driver maintain adequate distance behind the vehicle while stopped at an intersection?
4. Did the driver give adequate consideration to the possibility that traffic would stop or slow down for an upcoming traffic light, stop sign, or to allow vehicles ahead to turn?
5. Does the driver understand stopping distance requirements, including the time required to perceive a hazard, react, and the time required for the vehicle to come to a full stop once the brakes have been applied?
6. Was the driver driving in a lane that would allow an escape route to avoid an accident?

Risk Control

Pedestrian Collision

All types of pedestrian accidents, including collisions with pedestrians coming from between parked cars, are usually considered preventable. There are few instances where the action of pedestrians is so unreasonable that the operator could not be expected to anticipate such an occurrence.

Questions to consider:

1. Did the driver go through congested areas expecting that pedestrians would step in front of the vehicle?
2. Was the driver prepared to stop?
3. Did the driver keep as much clearance between his or her vehicle and parked vehicles, as safety permitted?
4. Did the driver stop when other vehicles had stopped to allow pedestrians to cross?
5. Did the driver wait for the green light or stop for the caution light?
6. Was the driver aware of children and prepared to stop if one ran into the street?
7. Did the driver give all pedestrians the right-of-way?
8. Did the driver stop for a school bus that was stopped and properly signaling that passengers were loading or unloading?

Animal Collisions

Collisions with animals are normally preventable, unless the movement on the part of the animal was unusual and unexpected. Usually, this type of accident occurs after dark in sparsely populated areas, which are well known to have deer and other animals present. Hence, often the inability to avoid collision is the result of overdriving the headlights, i.e. driving to fast for conditions.

Backing a Vehicle

Backing a vehicle into another vehicle, an overhead obstruction, or a stationary object is normally considered preventable. The fact that someone was directing the driver does not relieve the driver of the responsibility to back safely.

Questions to consider:

1. Was it necessary to back?:
 - a. Did the driver plan ahead so that he or she could have pulled forward out of the parking space instead of backing?
 - b. Was it necessary to drive into the narrow street, dead-end alley, or driveway from which he or she backed?

Risk Control

2. If the driver could not see where he or she was backing:
 - a. Did the driver try to get someone to guide him or her?
 - b. Did the driver look all around the vehicle before backing?
 - c. Did the driver back immediately after looking?
 - d. Did the driver use the horn while backing?
 - e. Were the back-up lights working?
 - f. Did the driver look to the rear without relying totally on the rear-view mirror?
 - g. If the distance was long, did the driver stop, get out, and look around occasionally?
3. Did the driver back slowly?
4. Did the driver judge clearances accurately, taking into consideration obstacles to the rear and sides of the vehicle as well as those above and underneath?

Parked or Stopped Vehicle

Doors on the driver's parked vehicle that are damaged when opened on the traffic side are considered preventable accidents. The driver is responsible to see that the traffic side is clear of traffic, before any doors on that side are opened.

In most cases, if the driver, while driving, strikes a parked vehicle's opening door, it is considered preventable. Usually the driver can see from a sufficient distance that the parked vehicle is occupied, and should therefore, be prepared to stop, should move closer to the center line or change lanes.

It is a driver's responsibility to park the vehicle so that it will remain stationary. A runaway type of accident is preventable. Blaming an accident on defective parking brakes or other holding devices are inadequate excuses. A good pre-trip inspection and maintenance program will eliminate most opportunities for this type of accident to result from mechanical failure.

An accident is nonpreventable when the vehicle was legally and properly parked, or when properly stopped because of a highway patrol officer, a signal, stop sign, or traffic condition. Accidents occurring while the vehicle was double parked or in a "No Parking" zone are preventable.

Questions to consider:

1. Was the vehicle parked on the proper side of the road?
2. Was it necessary to park there or was there a safer, only slightly less convenient place nearby?
3. Did the driver have to park on the traveled part of the highway, on the curve, or on the hill?
4. When required, did the driver warn traffic by emergency warning devices?
5. Did the driver park parallel to the curb?

Risk Control

6. Was it necessary to park so close to an alley or directly across from a driveway?

Low-Clearance Obstacles

Obstructions can be avoided if the driver knows the height and width of the vehicle, pays attention to posted clearances, and takes the time to properly judge clearances.

Shifting Cargo and Cargo Damage

The accident should be considered preventable if the investigation shows a mechanical defect of which the driver was aware, a defect the driver should have found by inspecting the vehicle, or the driver caused by rough and abusive handling. It is a driver's responsibility to secure cargo properly to prevent damage to the cargo. Cargo should be safely stowed to prevent flying objects that can strike or distract the driver.

Note: Appendix E (Fleet Safety Acknowledgment Form) begins on the next page.

Fleet Safety Acknowledgment Form

I hereby acknowledge that I have received and read a copy of the SAMPLE Company Fleet Safety Program. I agree to comply with the policies and procedures contained in the program.

Driver's Signature

Date

Driver's Name (Print)