



## Fleet Management Safety Program

- Safety Mission Statement
- Employment Screening
- Driver Authorization Card
- MVR Review Process
- Accident Review Process
- Company Enforcement Policy
- Personal Use of Vehicles
- Supervision
- Vehicle Maintenance
- Incentive and Correction Plans
- Driver Management Program
- Counseling Session Documentation

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## Introduction

Insurance is essential to protecting your business from direct financial loss. However, accidents have indirect costs, along with direct costs, that can affect your firm's operations. Indirect costs include:

- Disruption of your business operation
- Loss of customer goodwill
- Missed business opportunities
- Higher cost of commercial insurance.

Whether it's called accident prevention, loss control, a safety program or risk management, a formal and systematic program of addressing loss-producing exposures results in a positive environment for everyone: employees, the business owner and insurance carrier.

### The benefits of avoiding accidents can include:

- Avoiding the indirect costs of accidental losses
- Controlling your insurance costs
- Compliance with relevant standards (DOT, OSHA, state motor carrier regulations)
- Reducing the costs of damaged cargo and customer dissatisfaction
- Higher employee morale as a direct result of management's concern for preventing accidents

## About This Program

An effective fleet safety program must have management support, and management must communicate its support for the program. Employees must know that management has a sincere and sustained interest in their general safety and that management considers safe driving an important part of employees' duties.

This program contains policy guidelines and procedures for designing your program and demonstrating the belief that all fleet accidents are predictable – and preventable.

The first seven sections describe the strategies that have the greatest potential for preventing fleet losses. The last three sections describe additional components of a successful fleet safety program.

The **Safety Mission Statement** informs operators, supervisors and company personnel of the company's intent to provide a positive work environment and senior management's support for ongoing fleet safety activities. Three elements that a policy statement should accomplish are:

- It should affirm the long-range purpose
- It should commit management at all levels to reaffirm and reinforce this purpose in daily decisions
- It should indicate the scope left for discretion and decision by lower-level management

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The Safety Mission Statement should be put in writing because it requires specific action by all company personnel. Safe performance by an organization requires each person in the company to have the information necessary to make sound accident-prevention decisions.

The Safety Mission Statement should include the following:

- **Management's intent.** What management wants done.
- **The scope of the activities covered.** Does the policy pertain only to on-the-job safety? Is off-the-job safety covered? Public safety? Property damage?
- **Responsibilities.** Who is responsible for what?
- **Accountability.** How are individuals held accountable?
- **Authority.** Who has it and how much?
- **Standards.** What rules does the company use?

The Safety Mission Statement should set the stage for all accident-prevention activities. To plan, organize, lead and control an organization requires a clearly defined policy with a communicated purpose, a commitment by all levels of management and an assignment of responsibilities.

#### **Example Policy Statement:**

The management of this company believes that:

- The safety and well being of all company employees are important for both humanitarian and economic reasons.
- Safety will always take precedence over expediency or economic considerations.
- Prevention of accidents is the responsibility of both management and individual employees. Only through the full cooperation of all employees can we reduce injuries and suffering due to accidents, and control the dollar costs of accidents.

For these reasons, the company has developed an aggressive accident prevention program that applies to all operations and all employees.

#### **Responsibilities of the Employee**

All employees:

- Are required and expected to cooperate in carrying out their individual responsibilities as outlined in the accident prevention program.
- Will comply with all applicable federal, state, and local laws and ordinances.
- Will comply with safety policies and procedures.
- Failure to comply with these safety policies and procedures may result in the loss or reduction of Workers Compensation benefits and could subject you to disciplinary action.

#### **Responsibilities of Management**

Management at every level and the Safety Committee are charged with implementing the policies and procedures outlined in this program.

#### **Employment Screening**

The establishment of a meaningful and realistic pre-employment screening program is vitally important to the successful operation of any motor vehicle fleet, whether a coast-to-coast interstate operation or an incidental fleet where the primary operation is not the transportation of freight. **By selecting the best available driver, a company helps to avoid future financial losses resulting from accidents and abuse of equipment.**

Statistical studies prove time and again that the vast majority of motor vehicle accidents could have been prevented by the driver. Selecting the right driver depends largely on job standards that outline the prerequisites and skills necessary for satisfactory job performance. Drivers who meet well-established guidelines will usually work and drive safely.

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## New Personnel Screening

The pre-employment screening procedure should include the following actions:

- 1) Review the applicant's current driver's license and note any restrictions. Check the expiration date to determine whether the license is current.
- 2) Acquire Motor Vehicles Records (MVRs) for all states in which the operator has held a license for the past three years. Review the MVRs realistically. Discuss the circumstances of any accident or citation with the applicant. Discuss corrective action with the applicant and document it in the applicant's personnel file.
- 3) Furnish and explain written copies of the company fleet policies. These should include the rules of safe operation, the accident-review policy, the personal-use policy, the alcohol and drug policy, seat-belt use and mobile-device policy.
- 4) Have the candidate complete an application form in his or her own handwriting. Assess the legibility of the handwriting and the applicant's ability to follow instructions, and compare the handwriting to the signature on the applicant's operator's license. Make sure the application form is complete and that the applicant dates and signs the form. During the applicant's interview, resolve any questions regarding the information contained in, or omitted, from the application form.
- 5) Contact previous employers to obtain information about the driver's general character and professional ability. Your inquiries should include the length of employment, the job performed (including operation of vehicles), the accident record, the applicant's ability to get along with others, and whether the previous employer would rehire the individual. You can obtain this information through a telephone interview, written correspondence or a personal visit.
- 6) Request a credit check.
- 7) Request a criminal background check.
- 8) Have the applicant undergo a post-offer physical examination.
- 9) Confirm the applicant's driving knowledge and skill with an actual driving test.

## Driver Qualification File

To facilitate review of the driver's record and provide future reference to the driver's qualifications, you should maintain a "driver qualification file" for each person hired. This file should contain:

- A copy of the application form
- Information developed during the driver's interview
- Copies of motor vehicle records (MVRs)
- Results of reference checks
- The original signed road test form

In addition to these items, motor carriers subject to the Federal Motor Carrier Safety Regulations must also have:

- Certificates indicating successful completion of the physical examination and road test
- A copy of the written examination questions, the answers the driver gave and a copy of the certificate of written examination issued to the driver

## Written Tests

Some fleets use commercially available intelligence and psychological tests or company developed tests on such things as driving rules and regulations. Extreme care must be taken to ensure the tests are nondiscriminatory and clearly associated with the knowledge and skills necessary to successfully fill the position. Motor carriers subject to the Federal Motor Carrier Safety Regulations are required to have an applicant complete a written exam to determine the driver's knowledge of the regulations, and to provide instruction where necessary.

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## **Commercial Driver Licensing**

Federal law effective since 1993 requires all commercial truck and bus drivers to be licensed under national standards. The licensing requirements apply to drivers of trucks weighing more than 26,000 pounds (11,800kg), vehicles carrying more than 16 passengers, and vehicles used to transport hazardous materials.

This legislation was prompted by statistics indicating that trucks and buses were involved in a disproportionately high number of fatal road accidents.

The re-licensing that resulted from this legislation was also intended to prevent commercial drivers from concealing vehicle code violations by registering themselves under different licenses in different states.

All 50 states and the District of Columbia require commercial drivers to pass a standardized written examination and a road test. The licensing information and traffic records of all licensed drivers are now maintained in a national computer network. Previously, each state had its own traffic records, and officials in one state could not easily obtain information about violations in another state.

## **Driver Authorization Card**

Only authorized persons should be allowed to operate vehicles in the course of employment. A Driver Authorization Card should be issued to all personnel who have successfully passed the employment screening process and are eligible operators based on the Accident Review Policy. The Driver Authorization Card should be issued for a 12-month period only. A new card should be issued each year based on a review of the employee's driving record and any actions taken under the Accident Review Policy.

## **Motor Vehicle Record Review Process**

Because the resources and assets of the organization are on the line, management should not rely on insurance carriers and brokers to identify poor drivers, but should be proactive and take responsibility for screening drivers themselves.

Why is it important to identify and disqualify a poor driver from operating a company vehicle? It is important because of the Doctrine of Negligent Entrustment.

## **Negligent Entrustment**

It is imperative that you take action to correct any situation involving a driver with a poor record. Failing to do so could result in a significant financial or punitive loss to your organization. By allowing a driver with a poor record to operate your vehicles, you risk financial ruin.

Several legal interpretations of the Doctrine of Negligent Entrustment are:

- "The principle of 'negligent entrustment' is not founded upon negligence of the driver, but upon the negligence of the employer by supplying an automobile to an incompetent driver."
- "It is generally recognized that one who places or entrusts his vehicle in the hands of one whom he knows, or from the circumstances is charged with knowing, is incompetent or unfit to drive, may be held liable for an injury inflicted by the use made thereof by that driver, provided the plaintiff can establish that the injury complained of was proximately caused by the driver's disqualification, incompetence, inexperience or recklessness."
- "Liability for the negligence of the incompetent driver to whom an automobile is entrusted does not arise out of the relationship of the parties, but from the act of entrustment of the vehicle, with permission to operate the same, to one whose incompetence, inexperience or recklessness was known or should have been known by the owner."

## **Motor Vehicle Records**

Motor Vehicle Records (MVRs) are an important part of any fleet safety program, regardless of the number of vehicles a company operates. Studies of vehicle accidents have shown a direct correlation between past driving performance and future accident experience. The drivers involved in the accidents studied had more than one vehicle accident and/or violation during the 36 months preceding their accidents. A potential or current driver's MVR is one of the best indicators of the kind of risk that person presents to your organization when behind the wheel of a motorized vehicle.

State agencies are the usual source of MVRs.

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## Employment Screening

The MVR is the most important piece of information used in driver selection and retention. For all new drivers, order MVRs for each state in which the applicant has held an operator's license. The MVRs should go back at least three years.

## Ongoing MVR Review

Obtain MVRs annually for all personnel (including family members, if applicable) who operate vehicles insured by the corporation. Management should review violations, discuss the circumstances with the employee and document the discussion in the operator's personnel file. Management should obtain and review formal police reports on all accidents involving corporate vehicles in motion.

## MVR Criteria

One of the most important functions of a fleet safety program is to establish the criteria of an acceptable driving record. Company MVR criteria will help everyone (management and drivers) understand the program and will support fair administration of driving privileges.

Once a policy outlining the criteria has been established, all drivers should be informed of the policy, and management should follow the policy fairly and consistently. Uniform application of the company's MVR criteria for all employees with driving responsibilities is critical.

To help your organization establish some basic MVR criteria, an example of how some companies categorize their violations and define the criteria for corrective action follows:

## Violations

**Type A Violation** – Includes (but is not limited to) DWI/DUI, Refusing Substance Test, Reckless Driving, Manslaughter, Hit & Run, Eluding a Police Officer, any Felony, Drag Racing, License Suspension, and Driving While License Suspended. Any driver with these types of violations is a major concern.

**Type B Violation** – Includes all vehicle accidents, regardless of fault.

**Type C Violation** – Includes all moving violations not classified as Type A or Type B (Speeding, Improper Lane Change, Failure to Yield, Running Red Lights or Stoplights, etc.)

**Type D Violation** – Includes all non-moving violations (Illegal Parking, Vehicle Defects, etc.)

## Criteria

Establish MVR criteria in accordance with Department of Transportation or other jurisdictional requirements, union agreements, etc., and have them reviewed by legal counsel. The following sample criteria are offered only for guidance in developing suitable criteria for your Fleet Safety Program:

### Declination, Termination or Reassignment to a Non-Driving Position:

- One or more Type A Violations in the preceding 36 months.
- Two or more Type B Violations in the preceding 36 months.
- Three or more Type C Violations in the preceding 36 months.
- One Type B Violation and two Type C Violations in the preceding 36 months.

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### Probation (6 Months):

- One Type B Violation in the preceding 36 months, or two Type C Violations in the preceding 36 months.
- One Type C Violation and two Type D Violations in the preceding 36 months.
- Three Type D Violations in the preceding 36 months.

### Sample Motor Vehicle Record Review Policy

It is the policy of \_\_\_\_\_ to obtain and review a motor vehicle record ("MVR") every \_\_\_\_\_ months for every driver of a company vehicle or every person who operates a personal vehicle on company business.

Each MVR will be evaluated on the point system shown below and retained in the individual's personnel file for a period of 36 months. After 36 months, the MVR will be discarded and all points associated with it removed from the driver's score. All current drivers will start with a score of zero (0) with the commencement of this program.

MVRs will also be obtained and reviewed prior to employment for those individuals seeking positions requiring the driving of either a company or personal vehicle. For those individuals, a score of 75 or greater for events within the most recent 36-month period will make them ineligible to be hired. With their hiring, the entire score for the most recent 36-month period will be used as a base, with the program functioning in the same manner as already described for existing employees, from that point forward.

After the commencement of the program, citations for any of the following events will lead immediately to revocation of driving privileges of company vehicles or personal vehicles on company business:

- (I) Driving while license suspended or revoked
- (II) Knowingly leaving the scene of an accident
- (III) Driving while intoxicated or impaired
- (IV) Reckless driving

**Understand that in many instances, revocation of driving privileges will lead to termination.**

**Accumulation of 100 or more points in any other manner will lead to a six-month probation period.** During this period, any citations received by the driver will lead to revocation of his or her driving privileges. After the expiration of the probation period, the driving score will be reduced to 75 points and the program will function as normal. **A driver may be placed on probation twice.** The accumulation of 100 or more points following two probationary periods will lead to the immediate revocation of driving privileges and likely to termination. **An employer must obtain your permission to view your MVR.** Therefore, we are requesting that you sign the attached consent form and return it to your manager. Failure to release motor vehicle information will result in loss of driving privileges or termination.

### Point System for MVR Review

▪ Citation for Driving While License Suspended or Revoked in last 3 years	100 points
▪ Citation for Driving While Intoxicated or Impaired in the last 3 years	100 points
▪ Citation for Leaving the Scene of an Accident in the last 3 years	100 points
▪ Citation for Reckless Driving in the last 3 years	100 points
▪ Citation for Careless Driving in the last 3 years	70 points
▪ Accident in the last 3 years that results in citation	70 points
▪ Other preventable accidents in last 3 years	70 points
▪ Citation for Speeding (20 or more miles over) in the last 3 years	50 points
▪ Citation for Speeding (10-19 miles over) in the last 3 years	35 points
▪ Citation for Speeding (0-9 miles over) in the last 3 years	20 points
▪ Other moving violations in last 3 years	35 points
▪ Non-preventable accidents	0 points

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## Sample Motor Vehicle Report Consent Form

I, \_\_\_\_\_, do /do not give my consent for employer to complete a background check on my previous driving record.

As part of this procedure, the company/my employer has permission to order Motor Vehicle Records (MVRs) from any and all states in which I currently hold and previously held a drivers license. I understand that my employer has an established MVR review program that my driving history will be compared against to determine my driving eligibility.

I further understand that failure to release consent for to conduct a background check on my previous driving record means that I forfeit my driving privileges and/or employment with the company.

\_\_\_\_\_  
(signed)

\_\_\_\_\_  
(Date)

### Accident Review Process

In accordance with experts such as the National Safety Council, a complete accident-reporting program is a necessity. Your written program and policy statement should require prompt, thorough and accurate reports on all accidents.

Time spent instructing drivers and supervisors in proper accident reporting is a sound investment in accident prevention. Examination of accident reports will result in trend analysis that will pinpoint accident causes and provide opportunities for improving accident prevention.

### Accidents

A motor vehicle accident is any occurrence involving the operation of an owned or non-owned vehicle that results in death, injury or property damage.

### Accident Reports

All vehicle accidents should be reported, whether or not the loss is covered by insurance. Provide each employee with well-defined instructions for reporting accidents. Provide an accident investigation kit for each vehicle.

### Review of Accident Reports

Your program should require management review of accident reports. Incomplete or late reports should lead to follow-up review with both the affected vehicle operator and the reporting supervisor or manager. An incomplete or late report should be returned to the person generating the report with an explanation of the necessity for timely and accurate accident information.

### Determining Preventability

When a driver reports an accident, a designated company official or committee must determine whether the accident was preventable by the driver involved. The determination should use the following definition of a "preventable accident" as developed by the National Safety Council.

### Preventable Accident

A preventable accident is any occurrence involving a company owned or operated vehicle that results in property damage and/or personal injury, regardless of who was injured, what property was damaged, to what extent or where it occurred, in which the driver in question failed to exercise every reasonable precaution to prevent the occurrence. Most physical damage losses also fall under this definition. However, physical damage losses over which the operator has no control, such as minor paint nicks, small dents and scratches from parking lot exposures, and chipped windshields, will not fall under the above definition of "preventable accident."

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## A Guide to Determining the Preventability of Accidents

Accidents involve so many different factors that it is impossible to set hard and fast rules to classify them as preventable or non-preventable. Management must make this determination.

In making these decisions, the question should be, "What standard of safe driving performance do we expect of our drivers?" Leniency condones a mediocre standard of safe driving performance. Drivers respect a strict interpretation of the policies as long as they are communicated and applied consistently and impartially.

The following is a guide to determining the preventability of accidents. It is impossible to describe in detail the many ways a driver might have prevented an accident for which he or she is not primarily or legally responsible. The paragraphs of this guide merely highlight the most frequent occurrences based on past decisions of accident review committees.

### 1. Intersections

It is the responsibility of professional drivers to approach, enter and cross intersections prepared to avoid accidents that might occur through the actions of other drivers. Complex traffic movement, blind intersections or failure of the other driver to conform to law or traffic control devices will not automatically discharge an accident as "non-preventable."

Intersection accidents are preventable even when the professional driver has not violated traffic regulations. A driver's failure to take precautionary measures before entering the intersection should be a factor in the decision.

When a professional driver crosses an intersection and the obvious actions of the other driver indicate potential involvement because of his excess speed, crossing his lane in turning, or coming from behind a blind spot, the accident should be considered preventable.

### 2. Backing

Practically all backing accidents are preventable. A driver is not relieved of his responsibility to back safely when a guide is involved in the maneuver. A guide cannot control the movement of the vehicle; therefore, a driver must check all clearances for himself.

### 3. Front-end Collisions

Regardless of the abrupt or unexpected stop of the vehicle ahead, your driver can prevent accidents by maintaining a safe following-distance at all times. This includes being prepared for possible obstructions on the highway, either in plain view or hidden by the crest of a hill or the curve of a roadway. "Over-driving" headlights at night is a common cause of front-end collisions. Night speed should not be greater than that which will permit the vehicle to come to a stop within the forward distance illuminated by the vehicle's headlights.

### 4. Rear-End Collisions

Investigation will often disclose that a driver risked being struck from behind by failing to maintain a margin of safety in his own following-distance. Rear-end collisions should be charged as preventable when preceded by a roll back, an abrupt stop at a grade crossing, when a traffic signal changes, or when your driver fails to signal a turn at an intersection. Failure to signal intentions or to slow down gradually should be considered preventable.

### 5. Passing

Failure to pass safely indicates faulty judgment and possible failure to consider one or more of the important factors a driver must observe before attempting to pass. Unusual actions of the driver being passed or of oncoming traffic might appear to exonerate a driver involved in a passing accident; however, the entire passing maneuver is voluntary and the driver's responsibility.

### 6. Being Passed

Sideswipes and cut-offs involving a professional driver who is being passed are preventable when the driver fails to yield to the passing vehicle by slowing down or moving to the right, where possible.

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## **7. Lane Encroachment**

A safe driver is rarely a victim of entrapment by another driver when changing lanes.

Similarly, entrapment in merging traffic is an indication of unwillingness to yield to other vehicles or to wait for a break in traffic.

Blind spots are not valid excuses for lane encroachment accidents. Drivers must make extra allowances to protect themselves in areas of limited sight distances.

Squeeze plays causing involvement with parked cars, pillars and other road structures can be prevented by dropping back when it is apparent the other driver is forcing the issue or contesting a common portion of the road.

## **8. Grade Crossings**

The professional driver is responsible for preventing collisions with fixed-rail vehicles, such as trains and street cars, occurring at grade crossings, in traffic, in a rail yard or switch area, or on private property. When a vehicle is parked across a rail siding, the driver must first ascertain whether it is safe and permissible and, furthermore, must stand by in case rail cars move and conditions change.

## **9. Opposing Vehicles**

It is extremely important to review the actions of the company driver who is involved in a head-on or sideswipe accident with a vehicle approaching from the opposite direction. Carefully verify the exact location of vehicles prior to, and at the point of, impact.

## **10. Turning**

Turning movements, like passing maneuvers, require the most exacting care by the professional driver. Squeeze plays at left or right turns involving other vehicles, scooters, bicycles, or pedestrians are the responsibility of the driver making the turn. Consider the driver's failure to signal, properly position the vehicle for the turn, check rearview mirrors, check pedestrian lanes, or take any other defensive action. Carefully examine sudden turns by other drivers. You may find that your driver failed to take precautionary action in response to clues from the other vehicle immediately preceding the incident. U-turns by your driver that result in a collision are preventable.

## **11. Passenger Accidents**

Passenger accidents in any type of vehicle are preventable when they are caused by faulty operation of the vehicle. Even though the incident did not involve a collision of the vehicle, it must be considered preventable if your driver suddenly stopped, turned or accelerated. When emergency action by the company driver to avoid a collision results in passenger injury, review the incident to determine whether proper driving just before the emergency would have eliminated the need for the evasive maneuver.

## **12. Pedestrians, Bicycles and Similar Traffic**

Traffic regulations and court decisions generally favor the pedestrian hit by a moving vehicle. An unusual route of a pedestrian at mid-block or from between parked vehicles does not necessarily relieve a driver from taking precautions to prevent such accidents.

Even when speed limits are posted or the area is placarded with warning signs, speed that was too fast for conditions may have been involved. School zones, residential streets and other areas with special pedestrian traffic must be traveled at reduced speeds appropriate to the situation.

Bicycles, motor scooters and similar equipment are generally operated by young and inexperienced operators. The driver who fails to reduce his speed when this type of equipment is operated within his sight distance has failed to take the necessary precautions to prevent an accident. Keeping within posted speed limits is not enough when unusual conditions call for voluntary reduction of speed.

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### **13. Weather**

Adverse weather conditions are not a valid excuse for being involved in an accident. Rain, snow, fog, sleet, or icy pavements have never caused an accident. These conditions merely increase the hazards of driving. Failure to adjust driving to the prevailing weather conditions or to “call it a day” when necessary should be cause for deciding that an accident was preventable. When it is reasonable to expect a driver to use safety devices such as skid chains or snow tires, failure to use such devices should be cause for finding an accident preventable.

### **14. Alleys, Driveways and Plant Entrances**

Accidents involving traffic originating from alleys, driveways, plant entrances and other special intersecting locations should be carefully analyzed to determine what measures the professional driver might have taken to avoid the occurrence. Failure to slow down, sound a warning or yield to the other driver can be considered cause to judge the accident preventable.

### **15. Fixed Objects**

Collisions with fixed objects are preventable. They usually involve failure to check or properly judge clearances. New routes, strange delivery points, resurfaced pavements under viaducts, inclined entrances to docks, marquees projecting over traveled sections of road, and similar situations are not, in themselves, valid reasons for absolving a driver of blame. Drivers must constantly be on the lookout for such conditions.

### **16. Private Property**

When a driver is expected to make deliveries at unusual locations, such as construction sites or on driveways not built to support heavy commercial vehicles, the driver is responsible for discussing the operation with the proper authorities and obtaining permission before entering the area.

### **17. Parking**

Unconventional parking, including unusual locations, double parking or failure to put out warning devices, is generally evidence of a preventable accident. Roll-away accidents from a parked position should normally be classified as preventable. These accidents can involve unauthorized entry into an unlocked and unattended vehicle, failure to properly block wheels or failure to turn wheels toward the curb to prevent vehicle movement.

### **18. Mechanical Failure**

Any accident caused by mechanical failure that could have reasonably been detected by the driver but went unheeded should be judged preventable. It is the driver's responsibility to report unsafe vehicle conditions and obtain immediate repairs where continued operation might result in an accident. When mechanical difficulties occur unexpectedly during a trip and the driver fails to check with the company for emergency instructions, the resulting accident is preventable. An accident caused by mechanical failure that results from abusive driving should be considered preventable.

### **19. Non-Collision**

Many accidents, such as overturning, jackknifing or running off the road, may result from emergency action by the driver to prevent being involved in a collision. Examination of his or her driving just before the incident may reveal speed that was too fast for conditions. Be sure to examine the company driver's actions before the accident for possible errors or lack of defensive driving.

### **20. Miscellaneous**

Projecting loads, loose objects falling from the vehicle, loose tarpaulins or chains, doors swinging open, etc., resulting in damage to the vehicle, cargo or other property are preventable when caused by the driver's actions or failure to secure the property. Cargo damage resulting from unsafe vehicle operation is preventable.

### **Company Enforcement Policy**

A safety program is only as good as the company's enforcement of it. If accident review finds that an employee has had a preventable accident or has an otherwise unsatisfactory driving record, management should consider initiating disciplinary action.

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## Performance Evaluation

Knowing his or her driving is being watched – and that driving performance is part of overall job performance – may have a positive effect on an employee's driving record.

Every year, formally evaluate the driving performance of each employee. The evaluation should:

- Compare the cost of fuel and repairs to mileage
- Compare dollars of revenue to dollars of cost
- Determine the number of accidents chargeable against the employee's family or spouse (if personal use is permitted)
- Determine the number of accidents involving drivers under 25 years of age

If you find problems in these areas, make changes to your fleet safety program, as necessary, to prevent further problems.

## Personal Use of Vehicle

In many commercial fleet operations, employees will have the opportunity to use a company vehicle for personal use. Personal use may entail keeping vehicles at the employee's residence, driving vehicles to and from work, or using the vehicle for transporting personal property. A salesperson working from home is a typical example of a person who may be assigned a vehicle. Another example is the maintenance staff permitted to use company vehicles so they can be available for emergency calls at night.

## Policy Statement

If your fleet operation has these or similar exposures, it is imperative that management develops and implements a vehicle-use policy statement. The statement should outline specifically when and under what conditions personal use of the company vehicle is permitted and who is authorized to drive the vehicle.

- It is recommended that authorized drivers be limited to only the employee and the employee's spouse.
- Use of vehicles by other family members should be prohibited.
- The spouse's driver qualifications should be reviewed in the same way they are for regular vehicle operators.
- Some automobile insurance policies limit coverage to only authorized use of the vehicle.

The following is a sample policy statement. The statement should be typed on company letterhead and signed by top management. Keep a copy of the statement, signed by the employee, on file in your office.

### Personal Use of Company Vehicles

To: All employees who use company vehicles

Personal use of a company vehicle(s) will be limited to within a \_\_\_\_\_ -mile radius during non-business hours. Special written permission must be obtained from \_\_\_\_\_ for vacation use of company vehicles or for trips over a \_\_\_\_\_ -mile radius.

The employee and the employee's spouse are the only authorized drivers of the company vehicle(s).

It is expected that the operators of the company vehicle(s) will comply with this policy and respect their driving-use privilege by driving safely and taking proper care of the vehicle assigned to them. Any personal use of a company vehicle, except as specified above, will be considered unauthorized use, and is absolutely prohibited.

President:

I have read the above and agree to abide by this Policy Statement in the operation of the company vehicle entrusted to me.

Employee:

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## Conclusion

Company vehicles are business tools and are made available for that purpose. Basic management fleet controls are necessary to help ensure these tools are used in the best interest of the company. A signed vehicle-use policy statement is one control that will help make certain only authorized drivers are using these vehicles.

## Supervision

Traffic safety authorities have stated that the majority of motor vehicle accidents can be attributed to supervisory failure – that is, failure to convincingly teach, prove, demonstrate and foster proper attitudes.

### ***The quality of supervision is especially important in the operation of a motor vehicle fleet because:***

- The driver is on his own during practically all of his working hours, operating without direct or constant supervision.
- There has been a growing recognition that driver performance is a product not only of skill and knowledge of the driver, but of his attitude. Using good principles of supervision is the most effective way to develop a proper attitude in day-to-day relations.

## Vehicle Equipment and Maintenance

The following items should be considered standard equipment for each auto assigned to an employee:

- Seat belts
- Accident reporting kit
- Windshield washer
- Flares or reflective lights
- Spare fuses and instructions for locating the circuit board
- Flashlight
- Tire chains where justified
- First-aid kit
- Fire extinguisher
- Wheel blocks

Employees should have the auto serviced according to the manufacturer's suggestions and record the service in the owner's manual. In addition, you may want to include the following in your maintenance program:

- Establish semiannual condition inspection by managers. See the inspection form example.

Request an annual garage inspection that includes a check of minor and major systems.

Driver participation in the preventive maintenance program is essential to safe operation and reduction of road failures.

## Incentives and Corrective Plans

Employees should understand that safe driving is expected; however, any encouragement that will help an employee drive more safely is worthwhile. An effective incentive program offers the driver something he or she will value and appreciate. The rules for awards should be explained to drivers and then fairly administered. The value of an award can be enhanced by an appropriate ceremony for the presentation of awards.

Some incentives to consider are:

- A letter from the company President, Vice President or General Manager recognizing the employee's safe driving record
- Permission for personal use of the car
- Merchandise awards
- Pins or jewelry

Conversely, correction is necessary when employees have poor driving records. Items that might help improve an employee's driving record are:

- A letter from the company's President or General Manager indicating awareness of the employee's poor driving record and encouraging the employee to drive safely

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- Restriction of any personal use privilege now in effect
- A fine for a preventable accident
- Establishment of a policy that after the first preventable accident, the employee pays the full cost of repairing the vehicle for the succeeding three-year period

### Driver Management Program

Did you know that employers are responsible for the driving and skills of every employee who drives while in the course and scope of employment? Employers can be held accountable if one of their employees causes an accident while working, even if the worker is driving his or her own vehicle!

*Example:* A firm might have a great field mechanic or marketing person who is not a good driver, based on a record that includes numerous violations. An otherwise exemplary employee, this worker drives her own vehicle for work. If she causes injuries and/or property damage, her firm can be sued for negligence for having knowledge of her poor driving record and willfully allowing this driver to operate a motorized vehicle while working for the company.

The firm's management approach to fleet safety will be exposed after a serious accident. The plaintiff's attorney will want to know what was known about an employee's poor driving record and/or what the company should have known – and if the firm took any action regarding the problem. Courts state that ignorance of an employee's driving record does not stand as a defense.

To protect a business from severe liability, one must implement a documented program on safe driving for all employees who operate motor vehicles. ***IF YOU FAIL TO TAKE ACTION WHEN YOU LEARN THAT ONE OF YOUR EMPLOYEES HAS A DRIVING PROBLEM, YOU ARE AT HIGH RISK FOR BEING SUED FOR NEGLIGENCE.***

### Driver Management Solution

**How does a firm keep bad drivers from affecting the safety of all stakeholders, profitability and a potential loss of customers?**

- Allow only employees with good driving records to drive.
- An employee who must drive while working, but whose driving record is unacceptable, should be moved into another position which does not require driving. If this is not possible, it may be necessary to terminate the employee based upon the inability to perform the job safely.

#### **Sample Policy**

“Safe handling of a motor vehicle is an essential part of your job. Our firm will periodically review driving records of all employees who drive in the course of their work and will enact appropriate corrective action for any employee with a history of violations and accidents, whether on or off the job. Employees with a pattern of poor driving will not be allowed to drive in the performance of their jobs. Employees who fail to comply with this policy will be subject to discipline, up to and including termination.”

### Driver Management Program Steps

#### **1. Employee Orientation**

New employees and employees who have not received an orientation should be provided with one. Additionally, each driver should read and sign the attached Safe Driver Commitment form. This form makes the employee aware of company policies, including the requirement to report any accidents or moving violations. All drivers should be made aware of the process of obtaining a copy of his/her driving record.

#### **2. Driver Record Tracking**

Employees can order and submit their own driving records. Employers can also order driving records with the written consent from applicants. Maintain deadlines such as 2 weeks.

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### 3. Review the records as they are submitted

Firms can schedule follow-up reviews, as needed and at least annually, for drivers with good/clean driving records, and more frequently with drivers with poor driving records. While the format of motor vehicle records varies somewhat from state to state, the essential information is the same. Important information includes:

- Type of violations/accidents
- Total number of violations/accidents

Employer discretion is needed in any evaluation of data. Firms may find that essential employees are in the high-risk category. There are few hard and fast cut-off points in this analysis. However, keep in mind that decision makers are explicitly endorsing employee driving skills and experience by allowing people to drive while they work for firms. **IMPORTANT:** These standards apply only to ordinary driving. Standards are much stricter for drivers with commercial licenses. The ability to drive with a CDL license is governed by federal statute.

#### Highest-Risk Drivers

These individuals should not operate motor vehicles as part of their employment if they have:

- One or more serious violations (DUI, license suspension, hit and run, etc.)
- One or more serious accidents (at fault)
- One serious accident or violation plus several minor infractions

If you choose to allow a driver in any of these categories to drive for your company, you must set tight, explicit parameters. For example:

- Driving limited to daylight hours.
- Driving limited to certain specific functions.
- Essential driving only.

These individuals should be aware that *any* additional accidents or violations will result in immediate loss of driving privileges and may result in termination.

**NOTE:** You must carefully document the parameters under which these individuals drive for you. If you do not, you have created an open-ended liability for their driving actions.

#### Moderate-Risk Drivers

These individuals may drive while working, provided they maintain clean records. Their records reveal:

- One or two minor violations over a three-year period
- One minor accident

If these drivers report any additional violations or accidents, you will need to sit with them and review their driving status. Corrective actions may include: short-term suspension of driving privileges, limited driving for a set period of time, or essential driving only.

You may choose not to impose sanctions, but merely reiterate safe driving policies. Once again, document actions taken.

#### Low-Risk Drivers

These individuals have had clean driving records for at least three years. If these drivers report minor violations or accidents, you may choose to continue their current unlimited driving status. If they are involved in more serious accidents or violations, you should take corrective action, ranging from “yellow-” to “red-” zone sanctions, depending upon the severity of the incident.

One final note: You may have older individuals who have driven without incident for many years. If these people develop age-related symptoms of impaired driving (slower reflexes, difficulty with night vision, etc.), work with them and their doctors to ensure they can still drive safely. Providing remedial training is a good practice. (*See sample employee form at the back of this program.*)

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#### **4. Set up a Team Structure**

The key person in the group is the driver safety “champion.” Ideally, this is not the Fleet Manager, but rather a senior member of the department/division which has a large presence in terms of fleet vehicle use. The function of this individual is to ensure the project is seen as a significant business objective and ensure management focus is sustained. Other members of the group should be:

- A Project Manager to ensure all elements of the system are implemented and functioning
- A Communications Manager to design and produce the communication plan for the project for personnel driving on business
- The Fleet Manager
- The Health & Safety Manager
- The Human Resources Manager
- At least one higher-mileage company driver/driver representative from the main vehicle-type users

The team members must have clearly defined roles and responsibilities for their part in the project.

#### **5. Set up of a Driver Safety Management System**

This is the core method of collecting data of sufficient quality to enable continuous monitoring of the program over the long term. There are a number of fleet management systems on the market that provide risk management monitoring, as well as managing general fleet data. Alternatively, existing data-capture tools could be amended to include relevant safety and risk management information. It is important that whatever system is used, it must have the capability to flag exceptions to defined performance parameters to assist in identifying emerging risks.

#### **6. Incorporation of Metrics**

It is important to identify an appropriate metric to measure frequency and performance. An example of such a metric is APM (accidents per million miles). Another example is the number of damage reports generated per annum against the total number of vehicles in the fleet.

Whatever metric is adopted, it must include all vehicle damage incidents – not just those generating insurance claims. It is important to use a consistent set of definitions for collisions and incidents – in other words, what type of damage/incident will generate a report? There should be few exceptions if a true picture is to be gained.

#### **7. Management Training**

This is a much-overlooked element of an integrated driver management program. The most common reason these programs do not germinate and grow is the failure to educate and engage operational management in the process. Management must be educated in the behavioral factors affecting driver performance as they are in the best position to monitor and affect driver behavior and culture in their teams.

The worst scenario is that front-line managers perceive the program as having a negative impact on their operational capability. Therefore, as stated above, the appointment of a senior management figure from the primary fleet user area as the driver safety “champion” is important to minimize the likelihood of such a scenario.

Management feedback must be encouraged and they should be engaged in working with the steering group to overcome any problems or difficulties (perceived or otherwise) that prevent effective application of the program at any operating location.

#### **8. Driver Training**

Driver training alone and/or blanket training of drivers are not effective risk management actions in themselves. You should only have to get to the stage of in-vehicle driver training with the minority of drivers (with the exception of specialist vehicle activities where new skills are required or where specific training may be mandatory under legislation).

Where in-vehicle training is identified as a necessary intervention, it must be targeted specifically to the needs of the drivers and as identified by the risk assessment process. As a starting point, the risk assessment process must effectively identify those drivers who may have a higher risk exposure. Examples include:

- Young drivers (Under 25 years of age)
- Inexperienced drivers (Less than 1 year of driving or no high-mileage business driving experience)

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- Drivers with 6+ penalty points for either speeding/traffic signal or careless driving offenses
- Drivers with 2+ collisions/incidents within last 12 months
- Vulnerable drivers (Lone workers, pregnant women, drivers who have had a serious injury collision or have been involved in a fatality)
- Drivers with behavioral/personality traits that affect risk-taking

Below are some driver training options to be considered as part of a program:

- *In-vehicle induction training* – new starters (This should especially be considered as a result of a “high risk” rating at risk assessment, or where the vehicle type is significantly different from that previously used by the driver.)
- *In-vehicle remedial training* – post-collision training where appropriate, depending upon the outcome of an investigation
- *In-vehicle targeted training* – where appropriate for drivers identified as at-risk other than for the above reasons (due to stress, disability, etc.)
- *Classroom-based training* – to address attitudinal and knowledge-based subjects where group participation is beneficial
- *Computer-based training* – as a routine (annual) refresher program for established personnel

A note of caution must be sounded regarding the competency of external training providers. Ensure they are able to provide appropriate skill and expertise in servicing the needs of your particular fleet profile. Seek the advice of a specialist if you are in doubt.

Anecdotal evidence and studies can predict future crash involvement by a specific driver. Recent study results from the American Transportation Research Institute (ATRI), in conjunction with the North Dakota State Upper Great Plains Transportation Institute (UGPTI), followed more than 500,000 commercial drivers to determine the probability of being involved in a future accident. This three-year study identified several issues relevant to any firm whose employees regularly drive as part of their job responsibilities.

### **Driver Behaviors are Key**

Drivers in this study were tracked for three years. When a participant was involved in an accident, the individual’s driving and compliance history was checked. The data was then aggregated. Here are the results:

- **Involvement in a previous crash is not a reliable predictor of a future crash.** Involvement in a previous crash was ranked seventh in terms of predicting future crash involvement. A crash is usually the result of a bad behavior pattern. If, after an accident, the driver realizes the bad behavior and corrects it, the chances of that driver becoming involved in a future crash are reduced.
- **Drivers ticketed, but not convicted, for certain moving violations are more likely to be involved in an accident in the future.** Drivers who had received certain violations (not convictions) had an increased likelihood of up to 325 percent of being involved in a future crash. Drivers who received a violation for an improper turn were 105 percent more likely to be involved in a future crash. **Among the following convictions, improper or unsafe lane change, failure to yield right of way, improper turning, and failure to maintain a proper lane had the highest increased likelihood of future crash involvement.** If a driver was convicted of one of these violations, the likelihood of future crash involvement increased 91-100 percent.

The events showing the highest probability of future crash involvement (followed by increased odds the driver would be involved in a future crash) included:

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## Conviction/Violation and Increase in Crash Likelihood

▪ Failure to Use/Improper Signal conviction	96%
▪ Past Crash	88%
▪ Improper Passing violation	88%
▪ Improper Turn conviction	84%
▪ Improper or Erratic Lane Changes conviction	80%
▪ Improper Lane/Location conviction	68%
▪ Failure to Obey Traffic Sign conviction	68%
▪ Speeding More Than 15 Miles over Speed Limit conviction	67%
▪ Any conviction	65%
▪ Reckless/Careless/Inattentive/Negligent Driving conviction	64%
▪ Driving Too Fast for Conditions conviction	56%
▪ Failure to Obey Traffic Signal/Light conviction	56%

The study indicates what some safety practitioners have known for years: **if not corrected, certain driver behaviors greatly increase the odds the driver will be involved in future crashes.** A driver who “follows too closely” habitually does not maintain adequate space around the vehicle or drives too fast when compared to other traffic. If the driver does not correct the core behavior leading to “following too closely,” the driver is at a considerably higher risk of a crash.

Bottom line: “Following too closely” is not the problem; the behavior leading to “following too closely” is the actual problem.

## If It Can Be Predicted, It Can Be Prevented

Now that the behavioral aspect has been covered, the next issue becomes, “How does the Fleet Manager spot a driver with a bad habit?” Several indicators of potentially bad behaviors can be monitored:

- A driver receiving a violation, warning, or citation can indicate a problem. The incident involved may have been the driver finally getting caught for an ongoing bad driving behavior or it may have been a one-time incident. Don't risk chancing it.
- Any time a driver receives a violation, warning or citation, address the incident from the behavioral side and work with the driver to eliminate the behavior. If it was a one-time incident, a good driver will become even better, so even in these cases it is still worth the time to work with the driver.
- Customer complaints are often another source of predictive analytics. Most drivers are expected to exhibit certain behaviors around customers. If a driver is unruly with the customer, uncooperative or offends customers with poor behavior, odds are these behavioral traits become driving behaviors. Unchecked, these behaviors can lead to a driver being at an increased risk of a crash. All drivers get frustrated with customers or have personality clashes with a certain customer. Most have the personal self-control (behavioral pattern) to avoid getting into a situation resulting in customer calls and complaints.
- Operations complaints fall into the same category as customer complaints. The driver is in a situation in which certain behavior is not acceptable. If the driver has a behavioral pattern that makes it nearly impossible for supervisors to deal with him/her (short-tempered, abusive, aggressive), these same bad behaviors are likely to carry over into driving behaviors.
- Performing driver observations is another tool that can provide insight into a driver's behavior. Heed some advice here, however; observations should be evaluated to avoid dealing with the wrong driver or helping someone else “grind an axe” with the driver. Once vetted, the complaints can actually be a helpful tool for identifying drivers with poor driving behaviors, like taking unnecessary risks, becoming short-tempered or aggressive/assertive in traffic or inattentive, or driving in a generally unsafe manner (speed and space management problems, etc.).

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- All crashes and near-misses should be reviewed to determine the causes (causal factors and root causes). Once the causes are determined, review potential behaviors that could have led to the crash or near-miss. Finally, counsel and/or retrain the driver based on the results of the review (if you intend to allow the driver to continue to drive company vehicles).

### **Don't Just Watch It, Fix it**

When an incident occurs that indicates bad driving behavior, take action immediately. Action can include everything from a counseling session (pointing out the behavior to the driver) to retraining the driver on defensive driving and road testing. Of course, if the incident is part of a pattern or was serious enough, suspending the driver's ability to drive company vehicles should be considered.

Every incident should be placed into a tracking system. What is worse than a driver with bad behavior? A driver whose bad behavior has been pointed out and who refuses to correct it. People refuse to change behavior for many reasons, even after it has been pointed out as being dangerous. Common reasons include:

- Risk homeostasis: "What I do really isn't hazardous. I do it all the time."
- Arrogance: "I know better than the 'jerks' who write the safety policies."
- Voluntary ignorance: "I really don't want to know about this."
- Hubris: "I am above all those petty issues."
- Conflicting motivations: "I know I should drive safely, but I have productivity goals to meet."

Often, identifying the reason for a refusal to change can provide the Fleet Manager with the key to motivating the employee to change his/her behavior.

As your firm builds monitoring and corrective mechanisms to track, spot and correct possible bad behavior, *consider implementing programs that identify and reward drivers for good behavior*. Your tracking should also reveal drivers whose behavior is never an issue. Rewarding behaviors that prevent crashes is just as important as spotting behaviors that lead to crashes.

The concept here is simple: Failure to stop bad behavior perpetuates the bad behavior, but not rewarding good behavior can accidentally stop the good behavior.

Overall, the findings in this report suggest that driver interventions and industry innovations are capable of altering the magnitude and even the presence of the linkage between behaviors and future exposure to crashes. By becoming aware of problem behaviors, carriers and enforcement agencies are able to address those issues prior to them leading to serious consequences. The converse is also true, however, as lower priority behaviors, if ignored, may begin to play an increasing role in crash involvement.



# Commitment to Safe Operation of a Motor Vehicle

Company Name:

Name	Date
------	------

**I recognize that operating a motor vehicle safely is an essential part of my job responsibility. I will comply with the following company safe driving rules:**

- 1) I am committed to safe driving at all times and will maintain a valid driver's license.
- 2) I will use a seatbelt at all times and will advise customers that State law requires all passengers to wear them as well.
- 3) I will never drive while under the influence of drugs or alcohol.
- 4) I will inspect company vehicles prior to driving and will report any mechanical problems or body damage immediately.
- 5) I will report any on-the-job accidents or moving violations to management **immediately** and will cooperate fully with the insurance claims investigation.
- 6) I will report any and all moving violations or at-fault accidents that occur **off-the-job** within seven (7) days.
- 7) I will report any medical conditions and/or doctor-prescribed medications that may impact my ability to operate a vehicle.
- 8) I will provide copies of my driving records to management on an annual basis. My signature indicates that I am fully aware of, and will abide by, company safety rules related to driving.

***FAILURE TO COMPLY WITH THE ABOVE DESCRIBED SAFETY POLICIES MAY RESULT IN EMPLOYEE DISCIPLINE UP TO AND INCLUDING TRANSFER TO A NON-DRIVING POSITION OR TERMINATION.***

_____ Employee Signature	_____ Date
_____ Employee Name Printed	_____ Date
_____ Manager Signature	_____ Date
_____ Manager Name Printed	_____ Date

[Keep original in file. Give a copy to the employee. This form should be renewed annually.]

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