

VEHICLE ACCIDENT INVESTIGATION

DETERMINING PREVENTABILITY

Accident Reports

A complete accident reporting program is a necessity. Examination of Accident Reports over the years reveals that many lack basic information and essential details and facts. This is a result of poor training and discipline in accident reporting. The problem is perpetuated when safety and management personnel accept obviously sketchy and incomplete Accident Investigation Reports. Instead, such reports should be returned to the person responsible for their preparation as many times as it is necessary to get the essential information.

Employers should also make every effort to secure prompt, thorough and accurate Accident Investigation Reports on all accident reporting. Time spent instructing drivers and supervisors in proper accident reporting is a sound investment in accident prevention.

Determining Preventability

When an accident is reported by a driver, a determination must be made by a designated company official or Accident Review Board as to whether the accident was preventable by the company driver involved.

Preventable Accident

A preventable accident is any occurrence involving a company-owned or operated vehicle which 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 do everything he/she reasonably could have done to prevent it. The following paragraphs are offered as a guide in determining the preventability of accidents.

A GUIDE TO DETERMINING THE PREVENTABILITY OF ACCIDENTS

1. Defensive Driving

The Recognition Program is designed to recognize expert safe driving performance, not just average performance. It is based on the concept of defensive driving—the ability to avoid accidents in spite of the wrong actions of the other driver and in spite of adverse driving conditions.

2. Standard Performance

Accidents involve so many different factors that it is impossible to set hard, fast rules to classify them as preventable or non-preventable. Management must make this determination. In making these decisions, management will answer the question, “What standard of safe driving performance do we expect of our drivers in this company?” If a company is lenient, it condones a mediocre standard of safe driving performance. Drivers respect a strict interpretation of the rules so long as the company takes the time and effort to ensure that these interpretations are made consistently and impartially.

3. Intersections

It is the responsibility of all drivers to approach, enter and cross intersections prepared to avoid accidents that might occur through the action 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 though the driver has not violated traffic regulations. His/Her failure to take precautionary measures prior to entering the intersection are factors to be studied in making a decision. When a driver crosses an intersection and the obvious actions of the other driver indicate possible involvement either by reason of excess speed, crossing a lane in turning, or coming from behind a blind spot, the decision based on such entrapment should be preventable.



4. Backing

Practically all backing accidents are preventable. A driver is not relieved of the 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 personally.

5. Front End Collisions

Regardless of the abrupt or unexpected stop of the vehicle ahead, your driver can prevent accidents by maintaining a safe following 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. Overdriving 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.



6. 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/her own following distances. Rear end collisions 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 should be charged preventable. Failure to signal intentions or to slow down gradually should be considered preventable.

7. Passing

Failure to pass safely indicates faulty judgment and the possible failure to consider one or more of the important factors a driver must observe before attempting the maneuver. 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.

8. Being Passed

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

9. 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 that the other driver is forcing the issue or contesting a common portion of the road.



10. Grade Crossings

Collisions with fixed rail vehicles, such as trains, rail maintenance vehicles, etc., occurring at grade crossings, in traffic, in a rail yard, switch area or on private property are the responsibility of the driver to prevent. When a vehicle is parked across a rail siding, the driver must first determine if it is safe and permissible and, furthermore, must stand by in case conditions change by the movement of rail cars during the parking interval.

11. Opposing Vehicles

It is extremely important to check the action of the company driver when involved in a head-on or sideswipe accident with a vehicle approaching from the opposite direction. Exact location of vehicles, prior to and at the point of impact, must be carefully verified. Even though an opposing vehicle enters your driver's traffic lane, it may be possible for your driver to avoid the collision.

For example, if the opposing vehicle was in a passing maneuver and your driver failed to slow down, stop or move to the right to allow the vehicle to re-enter its own lane, your driver has failed to take action to prevent the occurrence. Failing to signal the opposing driver by flicking the head-lights or sounding the horn should also be taken into account.

12. Turning

Turning movements, like passing maneuvers, require the most exacting care by a 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. Failure to signal, to properly position the vehicle for the turn, to check the rearview mirrors, to check pedestrian lanes or to take any other defensive action should be considered. Sudden turns by other drivers should be carefully examined.

You may find that your driver failed to take precautionary action from tip-offs from the other vehicles immediately preceding the incident. U-turns by your driver that result in a collision are preventable.

13. 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 when your driver stops, turns or accelerates abruptly. Emergency action by the company driver to avoid a collision that results in passenger injury should be checked to determine if proper driving prior to the emergency would have eliminated the need for the evasive maneuver.

14. Pedestrians

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. Whether speed limits are posted or the area is placarded with warning signs, speed too fast for conditions may be involved. School zones, residential streets and other areas with special pedestrian traffic must be traveled at reduced speeds equal to the particular situation. Bicycles, motor scooters and similar equipment are generally operated by young and inexperienced operators.



The driver, who fails to reduce speed when this type of equipment is operated within sight distance, has failed to take the necessary precaution to prevent an accident. Keeping within posted speed limits is not taking the proper precaution when unusual conditions call for voluntary reduction of speed.

15. Weather

Adverse weather conditions are not a valid excuse for being involved in an accident. Rain, snow, fog, sleet or icy pavement 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 an accident preventable. Failure to use safety devices such as skid chains, sanders, etc., provided by the company should be cause for a preventable decision when it is reasonable to expect the driver to use such devices.

16. Alley, Driveways and Plant Entrances

Accidents involving traffic origination 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 to yield to the other driver can be considered cause to judge such an accident preventable.

17. 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 a traveled section of road and similar situations are not, in themselves, valid reasons for excusing a driver being involved. The driver must be constantly on the lookout for such conditions to avoid accidents in which they are involved.

18. Private Property

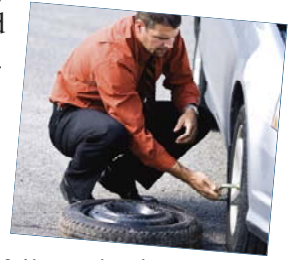
When a driver is expected to make deliveries at unusual locations, construction sites, etc., or on driveways not built to support heavy commercial vehicles, it is the driver’s responsibility to discuss the operation with the proper authorities and to obtain permission prior to entering the area.

19. Parking

Unconventional parking locations, including double parking, failure to put out warning devices, etc., generally constitute evidence for judging an accident preventable. Roll-away accidents from a parked position normally should be classified preventable. This includes unauthorized entry into an unlocked and unattended vehicle, failure to properly block wheels or to turn wheels toward the curb to prevent vehicle movement.

20. Mechanical Failure

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



21. Non-Collision

Many accidents, such as overturning, jack-knifing, or running off the road, may result from emergency action by the driver to prevent being involved in a collision. Examination of driving practice prior to the incident may reveal speed too fast for conditions. The company driver's actions prior to involvement should be examined for possible errors or lack of defensive driving practice.

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