**Fleet Safety Program**

**Company Name**

Provided by



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**Company Name**

**Fleet Safety Program**

**I. Policy Statement**

The XYZ Construction Co. 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;
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;
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:

1. The “Driver” does not have a valid operator's license issued by their state of residence; or if
2. The “Driver” possesses licenses from more than one state, or if
3. The “Driver's” license is suspended or revoked for any reason.
4. Meet minimum company screening criteria.

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”.

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 $250,000/$500,000 bodily injury and $100,000 property damage; or $300,000 combined single limit (CSL)
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**

* 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.

* 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 year 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:

1. Conviction for an alcohol and/or drug related driving offense;
2. Refusal to submit to a Blood Alcohol Content (BAC) test;
3. Conviction for reckless driving;
4. Any combination of three or more moving violations, “At Fault Accidents”, or “Preventable Accidents” within the most recent three years;
5. Suspension, revocation or administrative restriction within the last three years;
6. Leaving the scene of an accident as defined by state laws
7. At fault in a fatal accident
8. Felony committed involving a vehicle
9. Three or more “Company Vehicle” physical damage claims in any twelve month period.

**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:
6. Loss of all “Company Vehicle” driving privileges;
7. Loss of “Company Vehicle” driving privileges between work and home;
8. Loss of personal use privileges (if applicable - see Section V. A.);
9. Referral of the “Driver” to the Employee Assistance Program;
10. Transfer of the “Driver” to a non-driving position; or
11. Additional driver training.
12. 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.
13. 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.

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 –

1. **Company Vehicles -** The “Driver” should call the company's automobile insurance carrier as outlined in the Accident Reporting Kit supplied with the vehicle;
2. **Non-Company Vehicles -** The “Driver” should call his/her personal automobile insurance carrier;
3. **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

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

To complete the report, the supervisor should:

1. observe the accident scene and damaged vehicle(s);
2. obtain a copy of the police report, if available;
3. review the completed Accident Reporting Kit obtained from the “Driver”; and
4. interview the “Driver”.
5. 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 Accident Preventability (Appendix D) may be used by the supervisor to assist in making the determination.

1. 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**

**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 COULDRESULT 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.

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.

**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. 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.

Appendix A

**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.

Appendix B

**Company Name–Driver History Form**

Driver's Name (Print):\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Home Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State:\_\_\_\_\_\_\_\_\_\_\_\_ Zip:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Office Location:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Do you have a valid Driver's License? Yes \_\_\_ No \_\_\_

In what State are you a Licensed Driver? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

If you have held a license in any other state during the past 36 months, please provide the following information:

Dates State

From \_\_\_\_\_\_\_to\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

From \_\_\_\_\_\_\_to \_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

From \_\_\_\_\_\_\_to \_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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):

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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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):

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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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 dates):

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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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):

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Appendix B

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):

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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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):

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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 Company Name 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 an “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

\_\_\_\_\_\_\_\_\_-\_\_\_\_\_\_-\_\_\_\_\_\_\_\_\_\_ \_\_\_Male \_\_\_Female

Social Security Number

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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*

Appendix C

**Supervisor’s Accident Investigation Report**

**Motor Vehicle**

(Please print – use back as needed for additional information)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Driver’s Name:** | | | **Accident Date:** | | |
| **Safety Belts Used?** Driver:  Yes  No Passengers:  Yes  No | | | | | |
| **Did You:**   Yes  No View accident scene?   Yes  No Observe damaged vehicles?   Yes  No Interview witnesses?   Yes  No Obtain the police report? | |  Yes  No Review the driver’s completed accident report?   Yes  No Review the “Guide to Accident Preventability”? | | | |
| **Preventable\* Accident?** *(\*see back of form)* | | | | **Non Preventable\* Accident?** | |
|  Backing  Speed too fast for conditions   Turning  Failure to signal intentions   Parking  Disregard of traffic signal   Passing  Assuming right of way   Following distance  Driving in wrong lane   Diverted attention  Starting and stopping   Misjudging clearance  Failure to maintain vehicle   Driving under influence of drugs and/or alcohol | | | |  Hit by other car   Hit while legally parked   Hit in rear   Struck by debris   Vandalism   Windshield   Stolen while locked   Fire   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 Attachments:  Police Report   District File  Driver’s Accident Report | | | | | |
| Appendix C | | | | | |

**Definition of an Accident**

Any incident involving a “Motor Vehicle” as defined in the XYZ 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.

Appendix D

**Guide for Determining Motor Vehicle Accident Preventability**

**Introduction**

This guide will assist you, when investigating an accident, in determining whether the accident was preventable or not on the part of our driver.

As the accident investigator, you are expected to obtain as many facts as possible and to consider all conceivable conditions in arriving at your decision. You may want to contact the National Safety Council to assist you in arriving at your decision, if you are uncertain as to whether the accident was preventable or not.

An accident is preventable if the driver could have done something 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 absolutely no bearing on preventability. **If there was anything our driver could have done to avoid the collision, then the accident was preventable.**

An accident is non preventable 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.

**General Questions to Consider**

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

1. Does the investigation indicate that the driver considers the rights of others, or is there evidence of poor driving habits which 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 which 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 which 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 is 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.
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**

Failure of our driver to yield the right-of-way, regardless of who has the right of way, as indicated by stop signs or lights, is 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 extreme rear side of the vehicle.

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 is considered preventable.

**Sideswipes**

Sideswipes are often preventable. Defensive drivers do not get into a position where they can be forced into another vehicle or vice versus. Defensive drivers continuously check for escape routes to avoid sideswipes. For two lane roads, this mean 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 make no sudden moves that may force another vehicle to swerve. If a driver sideswipes a stationary object while taking evasive action to avoid striking another car or a pedestrian, such an 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.

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

Drivers are expected to allow merging vehicles 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 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?

**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 the oncoming vehicle. If the driver swerved off the road to avoid a head-on collision, the accident is non preventable. The driver in this case made a good defensive driving decision, taking the lesser of two evils.

**Skidding**

Many skidding conditions are caused by rain, freezing rain, fog, 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.

Loss of traction can be anticipated, and these accidents usually are preventable. Driving to fast for conditions or choosing to drive whether than not driving is the most common reasons why these types of accidents are preventable.

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?

If a driver goes off the road or strikes another vehicle because of skidding the accident is preventable.

**Pedestrian Collision**

All types of pedestrian accidents, including collision 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 sections 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 which 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 an animal was unusual and unexpected. Usually, these 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 too fast for conditions.

**Backing a Vehicle**

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

Questions to consider:

1. Was it necessary to back?:
2. Did the driver plan ahead so that he or she could have pulled forward out of the parking space instead of backing?
3. Was it necessary to drive into the narrow street, dead-end alley, or driveway from which he or she backed?
4. If the driver could not see where he or she was backing:
5. Did the driver try to get someone to guide him or her?
6. Did the driver look all around the vehicle before backing?
7. Did the driver back immediately after looking?
8. Did the driver use the horn while backing?
9. Were the back-up lights working?
10. Did the driver look to the rear without relying totally on the rear-view mirror?
11. If the distance was long, did the driver stop, get out, and look around occasionally?
12. Did the driver back slowly?
13. Did the driver judge clearances accurately?

**Parked or Stopped Vehicle**

Doors on our 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 our driver, while driving, strikes a parked vehicle's opening door it is considered preventable. Usually our 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 and blaming such a collision on effective parking brakes of other holding devices are inadequate excuses. A good pre-trip inspection, and maintenance program will eliminate most opportunities for this type of accident being the result of mechanical failure.

Accidents occurring when vehicles are properly and legally parked are considered non preventable. 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?
6. Was it necessary to park so close to an alley or directly across from a driveway?

**Maneuvers**

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.

Appendix E

**Fleet Safety Acknowledgement Form**

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

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Driver’s Signature Date

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Driver’s Name (Print)