



AN EARLY COLLEGE DISTRICT

BROWNSVILLE

INDEPENDENT SCHOOL DISTRICT

1900 E. Price Road Brownsville, Texas 78521-(956) 548-8000

BROWNSVILLE I. S. D. VEHICLE SAFETY PROGRAM



Employee Benefits/Risk Management/Safety Department
1900 E. Price Road, Room 212
Brownsville, TX 78521

PURPOSE

To provide **Brownsville I. S. D.** guidelines for the safe operation and maintenance of vehicles operated for business purposes. Examples of vehicles covered under this section include delivery trucks and passenger vehicles (i.e., automobiles, SUV's, pickup trucks, light trucks, and vans).

MANAGEMENT STATEMENT

Vehicle safety is the responsibility of every employee who drives a vehicle on a DISTRICT business. No employee will be allowed to operate a vehicle on District business unsafely. Employees are expected to comply with all safety rules, guidelines, laws, and ordinances while operating a vehicle on District business.

Each vehicle operator on District business will make every effort to reduce the possibility of an accident. Each employee is expected to read and follow all safety guidelines and provisions of the Vehicle Safety Program. There will be no deviations from this policy due to "unforeseen emergencies," the pressure of competition, or any other consideration. No job or service is so important that it overrides safety considerations.

POLICY

DISTRICT vehicles are provided to designated personnel to support business activities and are to be used only by qualified and authorized employees. The driver of a vehicle is responsible for the vehicle assigned to him/her.

All employees are expected to fully comply with all federal, state, and local laws and ordinances while operating a District-owned or personal vehicle on District business. Any vehicle operator found violating District rules, safety guidelines, laws, or ordinances may be suspended from driving and may be subject to disciplinary action, up to and including termination.

PROGRAM RESPONSIBILITIES

(Coordinator of Safety and Workers' Compensation)

- Completion of periodic review of vehicle safety policies, procedures, and rules to ensure they are current and coincide with operations conducted.
- Establish guidelines by which all levels of the organization are held accountable for their roles in fleet safety.
- Ensure compliance with all applicable standards or regulations.

**(Administrator of Security and all Departmental Administrators with Employee Driving Privileges)
Vehicle Safety – General Rules**

- Assist with ensuring that District vehicle safety procedures are followed.
- Ensure that Motor Vehicle Reports (MVR) and accident information are obtained to ensure that High-Risk Drivers are identified and brought to management’s attention.
- Conduct vehicle accident investigations and insurance reporting.
- Maintain documentation of accident information, vehicle inspections, and maintenance.
- Assist with coordinating vehicle safety activities for all employees with driving privileges.

**(All Departmental Administrators with Employee Driving Privileges and Supervisors)
Vehicle Safety – General Rules**

- Assist with ensuring that District vehicle safety procedures are followed.
- Monitor the safety performance of vehicle drivers and enforce the District’s disciplinary guidelines for unsafe vehicle operators.
- Assist with the completion and documentation of accident information.
- Coordinate vehicle safety activities for all employees with driving privileges.
- Verify and document vehicle inspection and maintenance activities for District vehicles.

Employees

The following regulations must be minimally followed when operating a vehicle on District business. **Violating these rules will result in disciplinary action, from removing driving privileges to discharge.**

1. Vehicles will continuously be operated safely and courteously at all times.
2. District vehicle safety defects will be reported to the Director and Supervisor immediately in writing.
3. Employees will not knowingly operate a vehicle with a safety defect.
4. No employee will operate a District vehicle or any other vehicle on District business while under the influence of an illegal drug or having a blood alcohol content in excess of allowable limits set forth by state or federal laws or violating the District Drug and Alcohol Policy.
5. No employee will operate a District vehicle or any other vehicle on a District business while under the influence of any medicine that has a specific warning against operating machinery or driving. Employees will not drive while taking any medicine that causes drowsiness.
6. Each driver will follow all federal, state, and local laws. Employees operating vehicles on District business are expected to comply with all traffic codes, local, state, and federal rules and regulations pertaining to the operation of motor vehicles.
7. No employee will operate a vehicle on District business while having a suspended or revoked driver’s license. All employees are required to have a valid State of Texas driver’s license.
8. Drivers will provide their driver’s license and/or proper proof of insurance upon demand by Management, an authorized District insurance representative, or as required by a law enforcement officer.
9. Firearms, ammunition, explosives, or other dangerous weapons will not be stored or transported in any vehicle while the employee is engaged in District business. (Freight shipments are the only exceptions.)
10. A vehicle will only be operated if it has been properly inspected and is safe.

As a minimum standard, the following items must be checked prior to operating a vehicle:

- a. Lights: All lights including the head light (low and high beams), tail lights, direction turn indicators, license plate light, break lights, parking lamps, emergency flashers, back-up warning lights, running lights and trailer lights must be operational and have the appropriate colored lamp cover if so required.
 - b. Tires: Tires must be properly inflated and not have excessive wear or other defects. Also, there should be a spare tire and operational jack and lug wrench within non-delivery vehicles.
 - c. Fluid levels: fuel, water, oil, transmission, brakes, hydraulic (as required) and steering fluid levels must be full.
 - d. Horn and Windshield wipers: must be fully operational.
 - e. Mirrors and other safety features, such as back-up alert signals: must be clean and fully operational.
 - f. License plate, Registration and Safety Inspections stickers: must be current and valid.
 - g. Proof of Insurance must be available in the document carrier.
 - h. Trailers must have safety chains properly attached and have operational lights as required. Cargo loads should be secured appropriately.
 - i. DOT/ICC Hazardous Cargo Warning placards, if so required, must be properly attached and visible.
11. Unauthorized personnel, friends, or other persons, are not allowed to ride upon or in a District- provided vehicle without management approval.
 12. Ignition keys will be removed from the vehicle when the vehicle is left unattended. Vehicles should be locked and secured to prevent theft or vandalism when not in use.
 13. Any employee operating a vehicle on the District business must use the seat belt/shoulderharness at all times while operating the vehicle. **THERE ARE NO EXCEPTIONS.**
 14. A hitchhiker will not be allowed to ride in or on a District-provided vehicle or a rental vehicle used for District business.
 15. All vehicle accidents will be *immediately* reported to the **Supervisor and Departmental Administrator.**
 16. Under no circumstances will an employee leave the scene of an accident unless it is for a medical emergency.
 17. Employees involved in an accident will follow the procedures outlined in the section of this guideline entitled **“What to do in Case of an Accident” and follow Appendix A – Post Vehicle Crash/Incident Checklist.**
 18. Drivers will always show courtesy towards the general public.
 19. District vehicles will be maintained as clean as possible and every effort made to insure the vehicle is kept in like-new condition.
 20. Any employee receiving a citation while engaged in District business must report the violation to management. A copy of the citation will be presented to the management if requested.
 21. No vehicle will be stopped, parked or left unattended except for legal stops at approved locations.
 22. Cargo being hauled on or in a District vehicle must be appropriately tied or strapped down. Fire extinguishers must be kept secured by brackets (if provided).
 23. No motor vehicle will be operated unless proof of insurance is established.
 24. No employee will ride in a vehicle being towed by another vehicle unless it is safe.
 25. Cellular Telephone Guidelines – The DISTRICT provides cellular telephones (and pagers) for designated employees but management does not recommend use of this equipment while operating a District vehicle. The following cellular telephone guidelines should be followed:
 - If a cellular telephone must be used while operating a vehicle on District business, the driver should pull off the road at a safe location. Mobile phone users should also assess the traffic

situation before placing or receiving calls.

- Employees should not attempt to take written notes while driving. Use the voice mail feature on the cellular phone to eliminate this distraction.
- Position your wireless phone within easy reach so you can grab it if you must answer (**not recommended**) without removing your eyes from the road.
- Suspend conversations during hazardous driving conditions (for instance, rain, sleet, snow or heavy traffic). As a driver, your first responsibility is to pay attention to the road.
- Do not engage in stressful or emotional conversations that may be distracting. Make people you are talking with aware that you are driving and, if necessary, suspend conversations that have the potential to divert your attention from the road.
- DISTRICT policy dictates that driving safely must take precedence over using a telephone. When on the road, you should concentrate on safe and defensive driving, not on making or receiving phone calls or answering pagers.

26. Personal Use – The district does not allow any vehicle for personal use.

27. Vehicles should not be operated with any defect that would inhibit safe operation during current and foreseeable weather and lighting conditions.

WHAT TO DO IN CASE OF AN ACCIDENT

Vehicle operators will follow established procedures at the scene of an accident. Following established rules and guidelines following an accident is extremely important from a safety and legal standpoint. A driver at the scene of an accident shall adhere to the following:

1. Stop immediately to investigate and call 911, BISSD police, and your immediate Supervisor.
2. If necessary, have someone call an ambulance or a doctor.
3. Take all necessary precautions to prevent further accidents, damages or injuries. Place out triangular warning reflectors or re-route traffic if available. Activate emergency flashers on the vehicle. If flares are used, they must be used with extreme caution. Do not ignite a flare near spilled fluids, or place a flare where it may roll into an area that would cause a fire.
4. Care for the injured. Render first aid in accordance with approved first aid procedures if so trained. **DO NOT** move an injured person unless it is necessary to move the victim out of danger.
5. **DO NOT** sign anything or discuss the accident with anyone other than the law enforcement authority or an approved insurance District representative.
6. An accident report should be completed at the scene of an accident. The Accident Report should be turned in to the **Employee Benefits and Risk Management Department** within 72 hours.

7. Information that can be released to other parties includes:
 - a. Your name.
 - b. Your driver's license number.
 - c. Your address and phone number.
 - d. Your employer, employer's address and phone number.
 - e. Proof of Vehicle Liability Insurance.
8. NEVER admit liability or fault, even if you feel at fault. Withhold all statements or comments regarding an accident except to District officials, authorized District insurance representatives, or as required by the police.
9. DO NOT give a written statement to anyone unless approved by a District management or the District insurance representative.
10. ALWAYS obtain names and addresses of other drivers, passengers or pedestrians, along with insurance District information, including policy numbers and insurance District address and telephone numbers. Take this information directly from a driver's license or insurance card whenever possible.
11. ALWAYS obtain names and addresses of owners of property damaged.
12. ALWAYS obtain witness names and addresses regardless of their version of the accident. If the witness refuses to give their name, get their license plate number.
13. DO NOT argue at the scene of the accident. Be courteous and willingly share your license and insurance information.
14. DO NOT move damaged vehicles unless it is absolutely necessary to prevent further damage or personal injury, or unless directed to do so by a police officer.
15. DO NOT LEAVE the scene of an accident except for a medical emergency. If possible send someone else for help and to make necessary phone calls.
16. DO NOT stop for an accident in which your vehicle is not involved unless your help is needed. If it is necessary to stop, be sure to place your vehicle in a safe position. DO NOT STAND around to watch or discuss an accident.
17. NEVER offer financial aid to anyone involved in an accident in which you are a party, even if you feel you are at fault.
18. DO NOT operate a wrecked vehicle unless it is safe to do so.

QUALIFICATIONS FOR VEHICLE OPERATORS

The following qualifications must be met by an employee operating a District vehicle:

1. The vehicle operator must have a valid State of Texas driver's license for the type of vehicle to be operated.
2. A vehicle operator must be at least eighteen (18) years of age (*).
3. A Motor Vehicle Record (MVR) will be obtained for each employee selected to operate a vehicle on behalf of the District. The MVR must minimally meet our insurance carrier's underwriting criteria (refer to #5 below). An updated MVR will be obtained at least once a year.
4. Applicants or employees who have been involved in an accident may be excluded from being allowed to operate a vehicle on behalf of the District if they do not meet our insurance carrier's underwriting guidelines.

5. Will not qualify for a District vehicle if, during the last 36 months, the driver had any of the following experiences:

- Been convicted of a felony.
- Been convicted of sale, handling or use of drugs.
- Has automobile insurance canceled, declined or not renewed by a District.
- Been convicted of an alcohol or drug-related offense while driving.
- Had driver's license suspended or revoked.
- Been convicted of three or more speeding violations or one or more other serious violations.
- Been involved in two or more chargeable accidents.

(* A person under the age of 18 and issued a provisional license to drive may be allowed to drive with Management approval if all other State requirements and regulations are followed.)

Commercial Vehicle Operation Requirements

All drivers that operate a commercial motor vehicle are required to have a current valid commercial driver's license (CDL) and meet all DOT Federal Highway Administration's Federal Motor Carrier Safety Regulations (FMCSR). According to FMCSR standards, a commercial vehicle license is required for:

- Drivers involved in interstate or foreign commerce in vehicles with a Gross Vehicle Weight Rating (GVW) of 10,001 pounds or more.
- Drivers operating vehicles with a GVW Rating of 26,001 pounds or more for interstate or intrastate commerce.
- Drivers operating vehicles designed to transport 16 or more passengers including the driver, or
- Drivers operating vehicles used in the transportation of hazardous materials in a quantity requiring placarding under the DOT Hazardous Materials Regulations. Separate driver files will be maintained for all DOT status drivers under this requirement to include:

- Driver's application for employment
- Inquiry to previous employers (prior 3 years)
- Inquiry to state agencies (prior 3 years)
- Annual review of driving record
- Annual driver's certification of violations
- Driver's road test certificate or equivalent
- Medical examiner's certificate

Other records that will be maintained to meet FMCSR requirements may include:

- Driver Hours of Service Logs and Log Violations
- Vehicle Maintenance Logs (copies obtained from leasing District)
- Pre & Post Trip Vehicle Inspection Reports
- Vehicle Defect Reports

DRIVER ORIENTATION

It is the **Departmental Administrator and/or Designee** responsibility to make sure all employees operating vehicles on behalf of the District are indoctrinated adequately before they are allowed to assume driving responsibilities. Driver Indoctrination will minimally include:

1. General discussion of the DISTRICT'S Vehicle Fleet Safety Program and providing each driver with a written copy of the Program's General Rules and Regulations.
2. The driver will be instructed on:
 - a. How to inspect a vehicle
 - b. How to report vehicle defects
 - c. How to report accidents
 - d. What to do at the scene of an accident
 - e. Specify safety measures to avoid an accident
3. All instructions and training will be documented in writing. Any employees assigned driving duties will sign the Driving Indoctrination document acknowledging the discussion of the Fleet Safety Program and the specific rules pertaining the vehicle safety before being allowed to drive on District business.

VEHICLE MAINTENANCE

Maintenance of non-assigned vehicles will be coordinated by the **Departmental Administrator or Designee**. Drivers with assigned vehicles are required to properly maintain their District vehicles at all times. District maintenance guidelines will minimally adhere to the manufacturer's suggested guidelines (as prescribed in the owner's manual). Preventive maintenance such as regular oil changes, lubrication and tire pressure and fluid checks determine to a large extent whether you will have a reliable, safe vehicle to drive and support work activities.

Vehicle Inspections may be periodically required by the **(Title of Responsible Party)** using the appropriate checklist (refer to Appendices D & E). The inspections will be performed by District vehicle operators for assigned vehicles and the **"Assigned Operator"** for non-assigned vehicles.

INSURANCE REQUIREMENTS FOR PERSONAL (NON DISTRICT OWNED) VEHICLES USED FOR BUSINESS PURPOSES

1. Employees operating their personal vehicle for the DISTRICT for business purposes shall, at their own expense, maintain auto liability insurance on any and all personal vehicles.
 - Such insurance shall be primary in the event of an accident while driving on District business. It shall be at least equal to the minimum amount required by law for vehicle liability in the State of Texas.
 - Failure of employees to comply with the insurance requirements for private vehicles used on District business may result in counseling or progressive discipline up to and including termination.
2. Annually, management, or a designee of management, shall update the District's listing of employees driving their own vehicle for business purposes the DISTRICT where applicable. At that time:
 - Management shall notify employees on the list to provide proof of insurance coverage.
 - If so notified, the employee shall send a copy of the declaration's page of his or her personal vehicle policy showing the name of the insured(s), the limits of coverage, the policy number, and the vehicle(s) insured.
 - The employee shall continue to send a copy on each policy renewal date until notified otherwise by upper management.
 - Employees shall immediately notify the District Supervisor when their personal auto insurance coverage cancels or lapses.

- Failure of any employee to report lapses in insurance coverage may result in counseling or progressive discipline up to and including termination.

PROGRAM RECORDKEEPING REQUIREMENTS

The following documentation will be maintained on file by the **(Title of Responsible Party)**:

1. A current list of eligible employees authorized to operate vehicles on District business on file.
2. A copy of a valid driver's license will be placed in the employee file.
3. A copy of the employee's Motor Vehicle Record (MVR) report will be received from an accredited source and maintained on file.
4. A copy of the employee's personal auto liability policy, or the District auto liability policy, that meets minimum State requirements and allows for proper coverage in the event of an vehicular accident resulting in damages or personal injuries.
5. Any requirements to pass a physical, eye exam or drug test will have been satisfied and copies of the strict medical reports placed into the file. Medical reports will be maintained in confidentiality.
6. A signed copy of the Driving Orientation Acknowledgement.
7. A copy of the most recently completed Vehicle Inspection Report (Appendix "D" or "E" as appropriate).

Motor Vehicle Safety Program

I, _____, have discussed the **DISTRICT'S** Vehicle Safety program and have been provided with a copy of the Management Policy and the District Driving Regulations. I understand the importance of safely operating any vehicle while conducting business for the District and I understand any vehicle assigned to me is my responsibility to operate in a safe and courteous manner. I agree to fully comply with all safety rules and regulations as outlined in the District's motor vehicle safety program during the course of my employment.

If operating my personal vehicle for District business, I understand that it is my responsibility to carry minimum insurance coverage as required by law. I agree to carry with me at all times proof of financial responsibility. I agree to provide to my employer a certificate of insurance as may be required. I understand that I am fully responsible for any parking or traffic citations issued to me for violations of law.

I understand that my failure to comply with any of the provisions of the DISTRICT'S Vehicle Safety Program may be grounds for counseling or disciplinary action up to and including termination.

Signature: _____

Date: _____

Printed Name: _____

Supervisor's Signature: _____

Date: _____

Appendix A

Driver Accident Report Forms

Post-Vehicle Crash / Incident Checklist

Driver must:

1. Stop vehicle and call the BISD Police at (956) 698-2085 and your immediate Supervisor _____
 - Immediate Supervisor and another designated driver should go to the scene of the accident immediately
2. If necessary, call an EMS – 911
3. Do not leave the scene of an accident.
4. Take all necessary precautions to prevent further accidents, damages or injuries.
 - Activate emergency flashers on the vehicle and/or place out triangular warning reflectors
5. Do not move damaged vehicles unless it is absolutely necessary to prevent further damage or personal injury, or unless directed to do so by a police officer.
6. Do not sign anything or discuss the accident with anyone other than the law enforcement authority or an approved District representative.
7. An accident report should be completed at the scene of an accident **by the Supervisor** upon arrival. District Vehicle Report, Driver's Statement and the Police (City and/or District) **must be emailed to the Employee Benefits Department** upon return to the Supervisor's district office.
8. Do not approach other vehicle nor request information. Information will be obtained by the City or BISD Police.
9. Information that can be released to other parties includes:
 - Driver's name
 - Driver's license number
 - Driver's address and phone number
 - Proof of Vehicle Liability Insurance
10. If vehicle is operable, supervisor may drive vehicle involved in crash. If inoperable, contact tow truck.
11. **Supervisor must take driver to the Human Resources Department** for Drug Testing Form prior to taking employee to the drug testing facilities. Driver may not operate any district vehicle until cleared by HR.

TIPS:

- All vehicles should have the current Insurance Card, Post-Vehicle Crash / Incident Checklist and the District Vehicle Report.
- Never admit liability or fault, even if you feel at fault. Withhold all statements or comments regarding an accident except to District officials, authorized District insurance representatives, or as required by the police.
- Do not give a written statement to anyone unless approved by a District management or the District insurance representative.

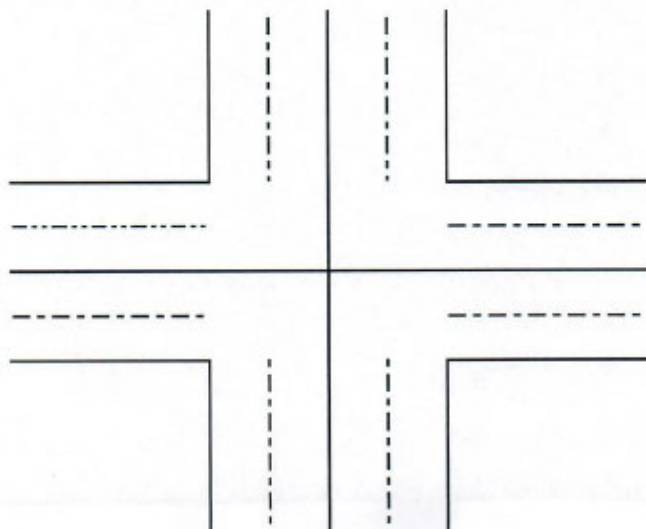
Brownsville Independent School District Vehicle Report

Supervisor's Name (completed by): _____

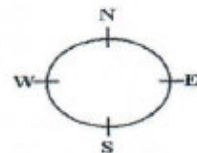
BISD

Date:		Time: am/pm		District Vehicle #:		Police Report: Agency / Report #:	
License Plate #:		Year:		Make:		VIN#:	
Number of Passengers:		Was EMS Contacted?		BISD (District) Driver's Name:		Citation: Yes / No	
BISD Driver's Phone #:		BISD Driver's Address:		BISD Driver's City:		BISD Driver's Zip Code:	
Driver's License Number:			Exp Date:	Type of Driver's License		HR Notified?	Employee Benefits Notified?
				A / M / CDL			
Crash / Incident Location:				Vehicle Damaged: Y / N		Worker's Comp Form Attached?	
						Y / N	
Crash Description:							
Do not approach other vehicle. Write-in what is visual from the BISD vehicle.							
Other Vehicle: Y / N		Foreign License Plates:		Color:	# of Doors:	Make:	Model:
		Y / N					
License Plate #:		Number of Passengers: Adults		Number of Passengers: Minors			
Remarks:							
PHOTOGRAPY CHECKLIST							
<input type="checkbox"/> District Vehicle		<input type="checkbox"/> Other Vehicle		<input type="checkbox"/> Scene – street			
<input type="checkbox"/> Damaged Fixed Objects		<input type="checkbox"/> Other: _____					

Other Party



Include street names

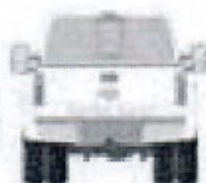
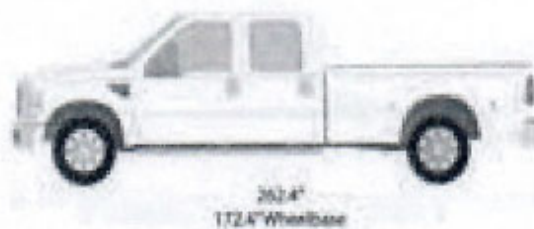
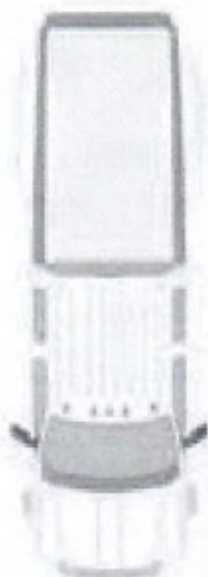


Use only applicable pages.

VEHICLE DAMAGE INFORMATION

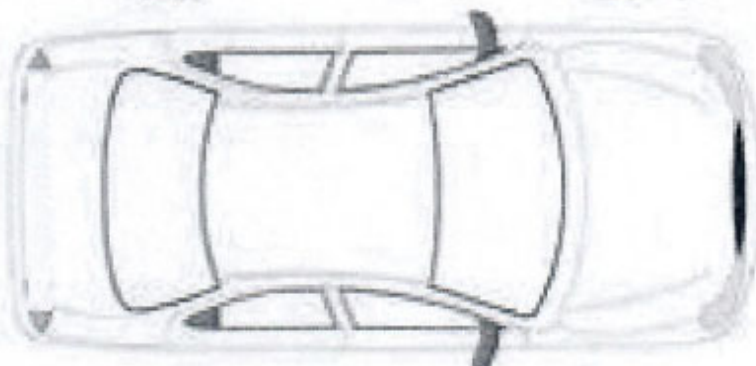
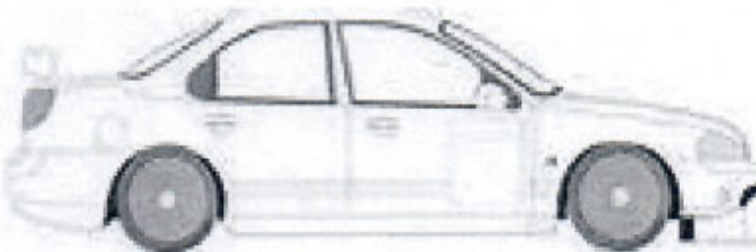
District Vehicle

Other Party: _____



District Vehicle

Other Party: _____

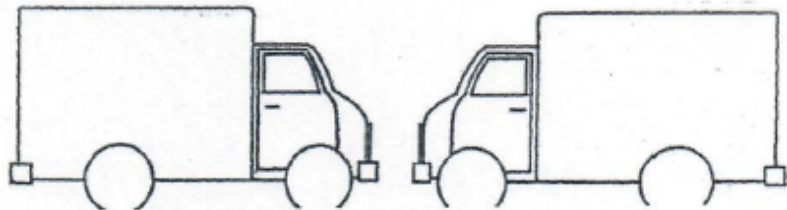
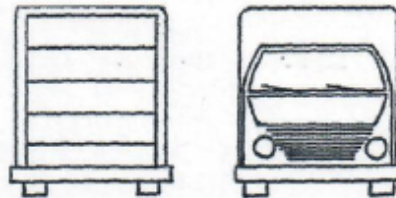
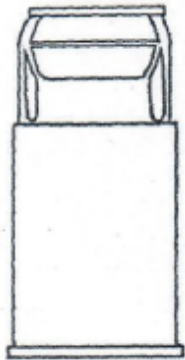


Use only applicable pages.

VEHICLE DAMAGE INFORMATION

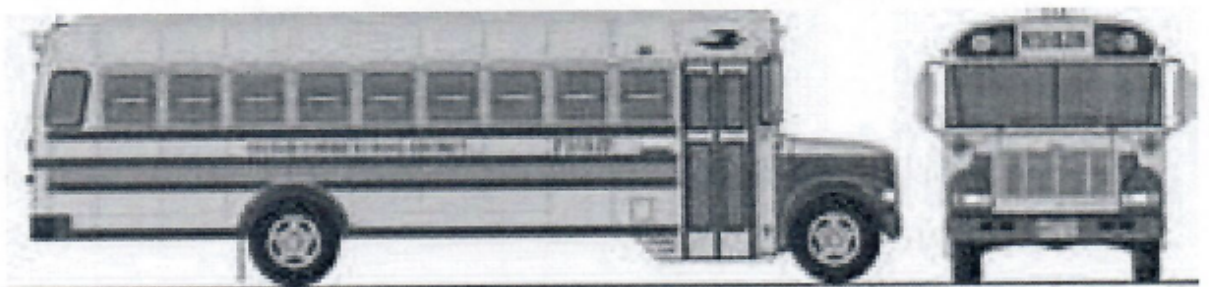
District Vehicle

Other Party: _____



District Vehicle

Other Party: _____



Date: _____ District Vehicle Number: _____ District Driver's Name: _____



Supplement - Bus Crash Passenger List

Passenger's Side

1	2	3	AISLE	4	5	6
Name:	Name:	Name:	Row 1	Name:	Name:	Name:
ID:	ID:	ID:		ID:	ID:	ID:
7	8	9		10	11	12
Name:	Name:	Name:	Row 2	Name:	Name:	Name:
ID:	ID:	ID:		ID:	ID:	ID:
13	14	15		16	17	18
Name:	Name:	Name:	Row 3	Name:	Name:	Name:
ID:	ID:	ID:		ID:	ID:	ID:
19	20	21		22	23	24
Name:	Name:	Name:	Row 4	Name:	Name:	Name:
ID:	ID:	ID:		ID:	ID:	ID:
25	26	27		28	29	30
Name:	Name:	Name:	Row 5	Name:	Name:	Name:
ID:	ID:	ID:		ID:	ID:	ID:
31	32	33		34	35	36
Name:	Name:	Name:	Row 6	Name:	Name:	Name:
ID:	ID:	ID:		ID:	ID:	ID:
37	38	39		40	41	42
Name:	Name:	Name:	Row 7	Name:	Name:	Name:
ID:	ID:	ID:		ID:	ID:	ID:
43	44	45		46	47	48
Name:	Name:	Name:	Row 8	Name:	Name:	Name:
ID:	ID:	ID:		ID:	ID:	ID:
49	50	51		52	53	54
Name:	Name:	Name:	Row 9	Name:	Name:	Name:
ID:	ID:	ID:		ID:	ID:	ID:
55	56	57		58	59	60
Name:	Name:	Name:	Row 10	Name:	Name:	Name:
ID:	ID:	ID:		ID:	ID:	ID:
61	62	63		64	65	66
Name:	Name:	Name:	Row 11	Name:	Name:	Name:
ID:	ID:	ID:		ID:	ID:	ID:
67	68	69		70	71	72
Name:	Name:	Name:	Row 12	Name:	Name:	Name:
ID:	ID:	ID:		ID:	ID:	ID:
73	74	75		76	77	78
Name:	Name:	Name:	Row 13	Name:	Name:	Name:
ID:	ID:	ID:		ID:	ID:	ID:

Appendix B

Glossary of Terms

ACCIDENT:

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

DRIVER:

An employee assigned a District Vehicle or who operates a Motor Vehicle on District business.

DISTRICT VEHICLE:

Any motor vehicle owned by or leased to the District, including a temporary replacement vehicle.

AT FAULT ACCIDENT:

An Accident where the Driver received a moving violation ticket issued by a police officer.

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 District Vehicle or any other motor vehicle while being operated on District 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-DISTRICT VEHICLE:

Any motor vehicle used on District business not provided by the District, 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 C

Guide for Determining Accident Preventability

Definition of an Accident

Any incident involving a Motor Vehicle as defined in the District's Fleet Safety Program that results in bodily injury or property damage.

Definition of a Preventable Accident

Any incident where the employee could have avoided the accident.

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 contract 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 that need to be changed?
2. Does the investigation indicate driver awareness? Such phrases as I did not see, I didn't think, I didn't expect, or I thought are signals indicating there probably was a lack of awareness, and the accident was preventable. An aware driver should think, expect, and see hazardous situations in time to avoid collisions.
3. Was the driver under any physical handicap that could have been contributory? Did the accident happen near the end of a long day or long drive? Did overeating contribute to fatigue? Did the driver get prior sufficient sleep? Is the driver's vision faulty? Was the driver feeling ill?
4. Was the vehicle defective without the driver's knowledge? Was a pre-trip inspection done, and would it have discovered the defect? A car, which pulls to the left or right when the driver applies the brakes, faulty windshields 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 Collision

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, stoplights, 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 and ready to apply the brakes.
4. Did the driver look both ways before proceeding through the intersection?

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

Sideswipes

Sideswipes are often preventable. Defensive drivers 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 potions.

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 too fast for conditions or choosing to drive whether or 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 types of accidents occur 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 up?
 - a. Did the driver plan ahead so that he or she could have pulled forward out of the parking space instead of backing?
 - b. Was it necessary to drive into the narrow street, dead-end alley, or driveway from which he or she backed?
2. If the driver could not see where he or she was backing:
 - a. Did the driver try to get someone to guide him or her?
 - b. Did the driver look all around the vehicle before backing?
 - c. Did the driver back immediately after looking?
 - d. Did the driver use the horn while backing?
 - e. Were the back-up lights working?
 - f. Did the driver look to the rear without relying totally on the rear-view mirror?
 - g. If the distance was long, did the driver stop, get out, and look around occasionally?
3. Did the driver back slowly?
4. Did the driver judge clearances accurately?

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 ineffective parking brakes or other holding devices are inadequate excuses. A good pre-trip inspection, and maintenance program will eliminate most opportunities for this type of accident 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 safety stowed to prevent flying objects that can strike or distract the driver.

Appendix D
Driver's Vehicle Inspection Report
(Intended for Use for Service & Delivery Vehicles)

Date
Vehicle #
Make
Model
Year
VIN
Odometer
License #

Check any defective Item and Give Details Under "Remarks."

- Air Compressor
 - Air Lines
 - Battery
 - Brake Accessories
 - Brakes
 - Carburetor
 - Clutch
 - Defroster
 - Drive Line
 - Engine
 - Fifth Wheel
 - Front Axle
 - Fuel Tanks
 - Heaters
 - Horn
 - Lights (Head, Stop, Tail, Dash and Turn Indicators)
 - Mirrors
 - Muffler
 - On-Board Recorder
 - Radiator
 - Rear End
 - Reflectors
 - Safety Equipment (Fire Extinguisher, Flares, Fuses, Flags)
 - Springs
 - Starter
 - Steering
 - Tires
 - Transmission
 - Wheels
 - Windows
 - Windshield Wipers
 - Other
- Trailer (s) No. (s) _____
- Brake Connections
 - Brakes
 - Coupling Chains

- Coupling (King) Pin
- Door
- Hitch
- Landing Gear
- Lights - All
- Roof
- Springs
- Tarpaulin
- Tires
- Wheels
- Other

Remarks:

CONDITION OF THE ABOVE VEHICLE IS SATISFACTORY

DRIVER'S SIGNATURE: _____

ABOVE DEFECTS CORRECTED

ABOVE DEFECTS NEED NOT BE CORRECTED FOR SAFE OPERATON OF VEHICLE

Mechanic's Signature: _____

Date: _____

Appendix E (Intended for Use for Passenger Vehicles) Driver's Self-Inspection Report

Inspection to be performed by District vehicle custodian at prescribed times. This is in addition to inspections performed by repair facilities or state and local inspection programs.

Date

Vehicle #

Make

Model

Year

VIN

Odometer

License #

Check the following. Explain any item marked "Fair" or "Poor".

Good

Fair

Poor

Comments

Air Bag

Body and Paint Finish

Brakes

Brake Lights

Engine

Floor Covering

Horn

Lights

Mirrors

Oil Consumption

Radio/Stereo

Seat Belts

Tires

Transmission

Upholstery

Windows/Windshield/Wipers

New tires needed in the next 6 months?

Number (Est.)

Estimated annual mileage:

Business Use

Personal Use

Additional comments regarding any repairs needed or vehicle performance:

Custodian Signature:

Vehicle Administrator:

"The illustrations, instructions and principles outlined in this material are general in scope and, to the best of our knowledge, current at the time of publication. No attempt has been made to interpret any referenced codes, standards or regulatory requirements. Please refer to the appropriate code, standard, or regulatory authority for interpretation or clarification."