



Managing Vehicle Risks

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Managing Vehicle Risks

One of the greatest risks of possible catastrophic loss involves the use of an automobile, van, or bus to transport people.

This guide will help you reduce your vehicle risk by giving you guidelines to follow as you

- Choose vehicles for your business.
- Select and train drivers.
- Develop procedures for normal daily and special field trip transportation.

Choosing the Vehicle

The type of vehicle you choose will vary based on the size of your facility and its special needs. Vehicles can include private passenger cars, mini-vans, 11-15 seat passenger vans, or small to large buses.

Note: It's important to recognize that the National Highway Traffic Safety Administration (NHTSA) has issued safety warnings regarding the handling characteristics of 11-15 seat passenger vans. According to NHTSA, these vans have an increased risk of rollover under certain conditions. NHTSA strongly discourages the use of 11-15 seat passenger vans to transport people, unless the vans comply with federal school bus standards.

Know the Rules for 11-15 Passenger Vans

If your facility currently uses 11-15 seat passenger vans, NHTSA recommends the following to support safe operation of these vehicles.

- Always use seat belts, and have a written seat-belt use policy. Make sure drivers enforce the policy. Passengers' risk of death or serious injury is greatly reduced by using seat belts, especially shoulder restraint belts.
- Select only experienced drivers to drive the van on a regular basis. Experience is defined as time behind the wheel of a similar size and type of vehicle, not just driving experience. These vans handle differently than other passenger vehicles, and only experienced drivers should operate them. A sudden swerve back onto the road or an emergency maneuver to avoid an object in the road can result in vans rolling over, especially when they are fully loaded with passengers.
- Avoid conditions that lead to a loss of control. Never drive while under the influence of alcohol or other drugs. Make sure you are well rested and attentive, and always slow down when the roads are wet or icy.
- Drive cautiously on rural roads. Be particularly careful on curved rural roads, and maintain a safe speed to avoid running off the road.
- Know what to do if your wheels drop off the roadway. If this happens, gradually reduce your speed and steer back onto the roadway when it is safe to do so.
- Properly maintain your tires. Make sure they are properly inflated and the tread is not worn down. Worn tires can cause your van to slide sideways on wet or slippery pavement. Improper inflation can cause handling problems and lead to catastrophic tire failures, such as blowouts. Check tire pressure and tread-wear once a month.

- When a 15-passenger van is not full, passengers should sit in seats that are in front of the rear axle.
- Never allow more than 15 people to ride in a 15-passenger van. Some experts say not to load 15 passenger vans with more than 10 or 11 passengers, and to load from the front seats going back.
- Allow adequate braking time—these vans are substantially longer and wider than a car.
- When changing lanes, make sure you have adequate space to move into another lane, and frequently check your side-view mirrors.
- Steer smoothly. These vans don't respond well to abrupt steering maneuvers.
- Don't store anything on the roof.

Leasing Additional Vehicles

Some organizations lease vans and cars to supplement short-term needs for additional vehicles, particularly during the summer. In some cases, it is more cost-effective, and leasing reduces the risk of running older vehicles because most vehicles in leasing fleets are new.

Not all rental agreements are the same, however. Read yours carefully. If your rental agreement includes insurance, there is often a limitation on the minimum age of the driver—usually 21 or 25 years old. If the driver operating the vehicle does not meet the minimum age requirement and there is an accident, the insurance provided by the leasing company could be void. In addition, the insurance provided by the leasing company many have lower limits than your current policy.

Some rental agreements, especially those not providing insurance, contain “hold harmless” provisions. These clauses are designed to absolve the leasing company of liability resulting from the operation and maintenance of the vehicle while it is leased. However, they may also absolve the leasing company of liability for poor maintenance performed by its employees.

Read your lease carefully, and watch out for such clauses. Consult with your insurance representative, and if necessary, your attorney. You may be able to negotiate more reasonable terms than the lopsided “hold harmless” provisions that are sometimes included in vehicle leases.

If personal vehicles are used, make sure the insurance coverage on these vehicles meets your organization's established guidelines.



Do Your Safety Homework

Carefully research the safety record for the type, make, and model of the vehicle before you buy or lease. Good sources of safety information are the Insurance Institute for Highway Safety/Highway Loss Data Institute, NHTSA, and *Consumer Reports* magazine. See the Resources section for their web addresses.

Proper Maintenance Prevents Mishaps

Whatever vehicle type you use, it's vital to properly maintain and service it. Some states require vehicle inspections for vans and buses. Even if your state doesn't require it, it's good risk management to have a local service station or garage inspect your vehicles before you put them on the road, and on an annual basis. Repair or replace any parts that are worn. Make sure that any vehicle used to transport passengers is licensed and registered according to state laws.

If your operation permits you to maintain and repair your own vehicles, make sure you hire qualified people to do the work. Check their references and carefully supervise them to ensure the quality of their work.

Organizations that do their own fleet repair and maintenance work may assume a greater liability than organizations that use the local service station or garage for this purpose. Whether you "do it yourself" or use a garage, document, document, document!

Keep Your Records

Keep records and receipts for the parts used and service work performed on each vehicle, especially records pertaining to brakes, tires, and other safety equipment, in a safe place. In the event of a lawsuit, these records can be used as evidence that your vehicle was properly maintained. It's in your best interest to use qualified people to work on your vehicles.

Use a Driver's Vehicle Condition Report

In addition to regular inspections, it's wise to use a Driver's Vehicle Condition report (see the sample on page 6) to identify items that need attention and repair. When you use this report, you are obligated to correct the defect that the driver identified before you can use the vehicle again. Failure to do so could increase your liability in an accident, especially if the defect caused or contributed to the accident. Adopting a daily system to identify vehicle problems displays your organization's commitment to safety and accident prevention.

To summarize, your vehicle maintenance program should include a service record for each owned or leased vehicle, an inspection before initial use and then regular inspections for as long as you use the vehicle, Driver's Vehicle Condition reports, and a file containing records for repairs and parts.

Selecting and Training the Driver

In addition to providing safe, well-maintained vehicles, you must be certain to carefully select and train drivers. Age, experience, and a clean driving record are considerations. Anyone driving passengers at your organization should hold a valid driver's license that complies with the licensing requirements of your state's Motor Vehicle Department. Drivers should be at least 21 years old, have at least 5 years of driving experience, with no violations or accidents for the past three years. Before you hire drivers, you should

- Carefully check references from previous employers.
- Order Motor Vehicle Reports (MVRs) for the driver. The MVR lists all moving violations and serious accidents the driver has had in the past 3 years.

Make sure your employment applications include a question about the applicant's experience driving vans or buses. The application should also include a spot for the applicant's driver's license number and the state that issued it. A copy of the driver's license attached to the application is a good method for gathering the necessary information for those employees who may be required to drive. If an applicant cites experience driving vans or buses, take care to check their references and document, in writing, what you find.

Test for Drugs and Alcohol

The U.S. Department of Transportation now mandates drug and alcohol testing for all employees who drive commercial vehicles. Commercial vehicles are those designed to transport 16 or more passengers, or those with a gross weight of over 26,000 pounds. Specifically, the rule applies to all drivers who have a Commercial Driver's License (CDL), even if a facility has only one such driver. The rule also applies to volunteers.

Drug testing should be used in the applicant screening process, or at the very latest before the employee first drives a commercial vehicle.

In addition to pre-employment testing, the following types of testing are required:

- Post-accident testing: drug and alcohol testing within two hours of an accident that involves the loss of a human life, or when the operator receives a citation under state or federal law for a moving violation arising from an accident.
- Random testing: drug testing must be performed on 50% of drivers annually, and alcohol testing must be performed on 25% of drivers annually. These tests must be conducted throughout the year.
- Return to duty testing: after failing a DOT drug or alcohol test.

- Follow-up testing: unannounced, follow-up testing outside the random testing requirements for employees who fail a drug or alcohol test.

Drug testing should be done using a DOT Drug Screen, which is performed by a clinic, physician, or hospital and analyzed by a certified laboratory. The alcohol test is done through either a breath test or a saliva screen. You can contract with outside testing companies to come onto your premises and perform the tests for a flat fee per driver.

For further information, contact your local office of the U.S. Department of Transportation, or call the DOT Drug Enforcement and Compliance Hotline at 800-225-3784.

Train Your Drivers

Finding the right driver is a difficult process. It is not over, however, with the selection. You need to train those who have been selected to do the job successfully, and most importantly, safely.

You can take several approaches to driver training. You should give each driver your facility's written policies and requirements, and review them during orientation to be sure they are clearly understood. You can also give drivers additional driving practice during orientation, and include a defensive-driving course presented by a driver-training instructor. You might ask state police, local law enforcement, or highway patrol officers to make a presentation to your drivers that reviews the major causes of accidents in your area, and gives some helpful tips about accident prevention and defensive driving techniques.

Some organizations use a Driver Awareness Program periodically during the year as a method of ongoing training. Others offer incentive bonuses for safe driving. Whatever method you use, make sure you devote enough planning to it. The key to accident prevention is planning ahead.

The National Safety Council offers many safe-driving courses, including one specifically geared toward school bus drivers.

Developing Vehicle Procedures

It's vital to maintain a procedure manual that details your organization's policy on

- Driver selection and training.
- Vehicle maintenance schedules.
- Vehicle condition reporting.
- Standard rules and procedures for transporting passengers.

The Transportation Rules and Procedures checklist on page 7 gives you some general guidelines to follow when creating your facility's Vehicle Procedures manual.

Take Your Show on the Road

After you've selected your vehicles and trained your drivers, you'll want to road test your drivers. Cars handle differently than vans; vans handle differently than buses. Road testing ensures that your drivers will become accustomed to driving different types of vehicles. Your road tests should include

- Backing up
- Parking
- Quick stops
- Loading and unloading passengers
- Crossing streets
- Parallel parking
- Assisting passengers with disabilities
- Safe speeds for approaching intersections or turning left
- Performing a vehicle safety check
- Filling out the Driver's Vehicle Condition report
- Using emergency and safety equipment
- Following state and local laws
- Following proper procedures in the event of an accident

It is a good practice to keep written documentation of the driver test elements and drivers' results.

Other Risk Management Considerations

Emergency Transportation

Depending on the nature of your business, you may need to keep an emergency vehicle on site. If you do, always park the vehicle in the same place, and make all drivers aware of its restricted use. Make sure it always has enough gas, and keep the keys with the individual designated as the emergency driver. Don't forget to include this vehicle in your regularly scheduled maintenance programs, and most importantly, list the vehicle on your insurance policy.



In Case of Emergency

If your drivers are forced to make an emergency stop on the highway because of a vehicle breakdown, they should be trained and instructed to follow these procedures.

- Move the vehicle off the road.
- Place the transmission in Low, Reverse, or Park.
- Turn off the ignition and remove the key.
- Set the emergency brake.
- Turn on the emergency flashers.
- Set out road emergency reflectors or flares at least 100 feet in front of and behind the vehicle on a two-way road, and 100 feet behind the vehicle on a one-way divided highway or if the breakdown occurs near a hill or curve.
- If conditions allow, unload passengers and move them off the road a safe distance away from the vehicle.
- Call for help.

“The Driver of the Bus Says ‘Move on Back’”

If your business involves the transportation of children, they need to learn how to behave in and around a vehicle. Transporting children is risky even before the vehicle starts moving. Children can catch their fingers in doors, and fall in and around the vehicle. They can be involved in accidents while crossing the street, boarding, and leaving the vehicle. Of course, once the vehicle starts moving, an accident can occur, as well as mishaps within the vehicle. Also, if the driver doubles as a supervisor while trying to drive safely, the risk of injury or an accident may increase. At a minimum, teach the children to

- Properly board and exit the vehicle.
- Look both ways before crossing the street.
- Act appropriately in a moving vehicle—no horseplay.
- Keep their hands inside the vehicle, not outside the windows.
- Walk, not run, up and down the steps one at a time.
- Be careful around vehicles (don’t walk behind a bus or in front of other vehicles).
- Wait for the driver’s signal before crossing the street in front of the bus.

Buckle Up

Proper use of a seat belt can significantly reduce the possibility of severe injury, and can mean the difference between life and death in the event of a vehicle accident. Everyone riding in a vehicle, whether the driver or passenger, needs to be buckled up before the vehicle starts moving. Buckling up is a snap:

1. Adjust the lap belt to fit low and tight across your hips/pelvis, not your stomach area.
2. Place the shoulder belt snug across your chest, away from your neck.
3. Never place the shoulder belt behind your back or under your arm.

The National Academy of Early Childhood Programs, a division of the National Association for the Education of Young Children, states in their *Accreditation Criteria & Procedures* manual, “If transportation is provided for children, vehicles must be equipped with age-appropriate restraint devices. Additionally, vehicles used in transporting children must be appropriately licensed, inspected, and maintained.”

Every state requires young children to travel in approved child-restraint devices, regardless of vehicle type. Some permit older children to use adult safety belts.

Buckling up is not only a safe practice for the transportation of children; it works for adults, too.

Use Safety Seats Properly

Always read the manufacturer’s instruction manual before installing and using a child safety seat. **All children age 12 and under must ride properly restrained in the back seat.** Infants must ride in rear-facing child safety seats; toddlers and young children can ride in forward-facing child safety seats. Regulations for child safety seats vary by state and change frequently, so check your state’s rules before you drive.

NHTSA’s web site (www.nhtsa.dot.gov) is a great resource for information about child passenger safety.

Bandages, Gauze, and Tape

Every vehicle in your fleet needs a fully stocked first aid kit. The contents of the kit and the quantity of supplies will vary according to the size of your operation and the type of vehicle. See page 8 for a sample list of items to include in your first aid kits.



Driver's Vehicle Condition Report

Vehicle Number

Mileage

Date

Check one of the following statements that applies to this vehicle with an "X"

____ Vehicle is in good operating condition

____ Items checked below require attention

- | | | |
|--|---|--|
| <input type="checkbox"/> Ammeter | <input type="checkbox"/> Gas gauge | <input type="checkbox"/> Radiator |
| <input type="checkbox"/> Battery | <input type="checkbox"/> Gear shift | <input type="checkbox"/> Radio (AM/FM) |
| <input type="checkbox"/> Body bolts (loose) | <input type="checkbox"/> Generator | <input type="checkbox"/> Reflectors |
| <input type="checkbox"/> Brake lines | <input type="checkbox"/> Glass | <input type="checkbox"/> Seat Belts |
| <input type="checkbox"/> Brakes (foot) | <input type="checkbox"/> Heater | <input type="checkbox"/> Signals (directional) |
| <input type="checkbox"/> Brakes (emergency) | <input type="checkbox"/> Horn | <input type="checkbox"/> Speedometer |
| <input type="checkbox"/> Bumpers | <input type="checkbox"/> Lights (crossing) | <input type="checkbox"/> Springs |
| <input type="checkbox"/> Child-restraint seats | <input type="checkbox"/> Lights (head) | <input type="checkbox"/> Starter |
| <input type="checkbox"/> Clutch | <input type="checkbox"/> Lights (marker/clearance) | <input type="checkbox"/> Steering gear |
| <input type="checkbox"/> Defroster | <input type="checkbox"/> Lights (step & inside) | <input type="checkbox"/> Tachometer |
| <input type="checkbox"/> Door latches/locks | <input type="checkbox"/> Lights (stop & tail) | <input type="checkbox"/> Tires/wheels |
| <input type="checkbox"/> Exhaust pipe | <input type="checkbox"/> Lubrication | <input type="checkbox"/> Transmission |
| <input type="checkbox"/> Fan belt | <input type="checkbox"/> Mirrors (rear-view) | <input type="checkbox"/> Windows |
| <input type="checkbox"/> Fenders | <input type="checkbox"/> Mirrors (side & crossover) | <input type="checkbox"/> Windshield wipers |
| <input type="checkbox"/> Fire extinguisher | <input type="checkbox"/> Mobile phone | <input type="checkbox"/> Inspection due |
| <input type="checkbox"/> First aid kit | <input type="checkbox"/> Motor | <input type="checkbox"/> Other |
| <input type="checkbox"/> Flags, flares, flashlight | <input type="checkbox"/> Oil pressure | <input type="checkbox"/> Other |

Remarks: _____

Driver's Signature _____ Date: _____

Mechanic's Report: _____

Mechanic's Signature _____ Date: _____

Transportation Rules and Procedures Checklist

	Yes	No
Are drivers prohibited from operating a vehicle while under the influence of alcohol or drugs, including prescription drugs that can make them drowsy?	<input type="checkbox"/>	<input type="checkbox"/>
Are drivers prohibited from smoking, playing loud music, and wearing earphones?	<input type="checkbox"/>	<input type="checkbox"/>
Are drivers prohibited from leaving children unattended in a vehicle?	<input type="checkbox"/>	<input type="checkbox"/>
Are drivers required to make a daily physical inspection of the vehicle and record their findings in the Driver's Vehicle Condition report?	<input type="checkbox"/>	<input type="checkbox"/>
Are vehicles equipped with reflective Danger signs (the triangle)? (In case of an on-road emergency, the driver can use these signs to alert other drivers of the situation.)	<input type="checkbox"/>	<input type="checkbox"/>
Does each vehicle have a radio, cell phone, or other communication device?	<input type="checkbox"/>	<input type="checkbox"/>
Does each vehicle have a fully stocked first-aid kit?	<input type="checkbox"/>	<input type="checkbox"/>
Does each vehicle have emergency identification and contact information for each child being transported?	<input type="checkbox"/>	<input type="checkbox"/>
Does the facility director approve each driver, and are only approved drivers allowed to operate vehicles?	<input type="checkbox"/>	<input type="checkbox"/>
Does the director keep all vehicle keys in one central location?	<input type="checkbox"/>	<input type="checkbox"/>
Do drivers always follow agreed-on routes, or get approval from the director to change them?	<input type="checkbox"/>	<input type="checkbox"/>
Are all passengers seated and secured, and do children use approved child-restraint devices or seatbelts?	<input type="checkbox"/>	<input type="checkbox"/>
Do drivers check to make sure all doors are properly closed and locked?	<input type="checkbox"/>	<input type="checkbox"/>
Do drivers make sure passengers do not put their heads, hands, arms, or other body parts outside the windows?	<input type="checkbox"/>	<input type="checkbox"/>
Do drivers prohibit horseplay and rowdy behavior?	<input type="checkbox"/>	<input type="checkbox"/>
If the vehicle can carry more than 6 passengers, is there an adult onboard who is trained in safety procedures and group management?	<input type="checkbox"/>	<input type="checkbox"/>
For child care centers, are there enough adults (not including the driver) to supervise the children and maintain the same adult-to-child ratio that is used at the center?	<input type="checkbox"/>	<input type="checkbox"/>
Do drivers always strictly obey all traffic laws?	<input type="checkbox"/>	<input type="checkbox"/>
Do drivers always check the oil, tire pressure, and battery when they buy gas?	<input type="checkbox"/>	<input type="checkbox"/>
Do drivers always leave vehicles in Park, with the emergency brake on?	<input type="checkbox"/>	<input type="checkbox"/>
Do drivers always shut off the motor before loading or unloading children?	<input type="checkbox"/>	<input type="checkbox"/>
If the driver can't shut off the motor, is the vehicle equipped with flashing lights similar to a school bus to warn oncoming traffic that the vehicle is loading/unloading?	<input type="checkbox"/>	<input type="checkbox"/>
Is the vehicle air conditioned when the temperature is above 75°F, and heated when the temperature is below 50°F?	<input type="checkbox"/>	<input type="checkbox"/>
Are drivers instructed to call an authorized service station for flat tires and other on-the-road vehicle problems?	<input type="checkbox"/>	<input type="checkbox"/>
Does the facility replace its vehicles regularly?	<input type="checkbox"/>	<input type="checkbox"/>
If you use rented vehicles, are the drivers experienced in using the vehicle and approved by the director or other lead person in the organization?	<input type="checkbox"/>	<input type="checkbox"/>
If you use chartered buses, is the driver a professional provided by the bus owner or charter company?	<input type="checkbox"/>	<input type="checkbox"/>
Do drivers always check the vehicle before garaging to make sure no passengers, especially children, were left onboard?	<input type="checkbox"/>	<input type="checkbox"/>
If required to back up a large vehicle, is a spotter used to make sure backing up can be done safely?	<input type="checkbox"/>	<input type="checkbox"/>

First Aid Kit Contents

The American Medical Association recommends the following for vehicle first aid kits.

Item	Minimum Quantity
Accident report forms	2
Adhesive plastic bandages, 3/4"x3"	25
Alcohol cleansing pads	24
Antibiotic ointment packs	3
Antiseptic cleansing wipes (sting free)	12
Burn relief gel pack	1
Butterfly wound closures, large	2
Castile soap towelettes	2
Conforming gauze roll bandage, 2"x4.5 yd.	1
Conforming gauze roll bandage, 3"x4.5 yd.	1
Cotton tipped applicators, 6"	2
Decongestant tablets	2
Elbow & knee plastic bandages, 2"x4"	2
Emergency blanket	1
Exam quality vinyl gloves	2
Exposure to blood or body fluid report	2
Extra-strength non-aspirin tablets	8
Finger splint, 6"x3/4"	1
Fingertip fabric bandages, large	2
First Aid Guide booklet	1
First aid tape roll, 1/2"x10 yd.	1
Gauze dressing pads, 2"x2"	8
Gauze dressing pads, 4"x4"	4
Hot/cold reusable compress, 4"x6"	1
Ibuprofen tablets	8
Instant cold compress, 4"x5"	1
Junior plastic bandages, 3/8"x1-1/2"	20
Knuckle fabric bandages	2
Non-stick pads, 2"x3"	2
Scissors	1
Saline solution (eyewash)	1
Sterile eye pads	2
Trauma pad, 5"x9"	1
Tweezers	1

Additional Equipment

Bag valve mask	1
Cervical collar	1
Hazardous waste bag	1
Oxygen cylinder and associated equipment	1

Resources

Centers for Disease Control and Prevention

1600 Clifton Road
Atlanta, GA 30333
404-639-3311
www.cdc.gov

Consumer Reports Magazine

Consumer's Union
10 Truman Avenue
Yonkers, NY 10703-1057
914-378-2000
www.consumer.org

The Insurance Institute for Highway Safety

1005 N. Glebe Road, Suite 800
Arlington, VA 22201
703-247-1500
www.highwaysafety.org

National Academy of Early Childhood Programs

National Association for the Education of Young Children
1509 16th Street, N.W.
Washington, DC 20036-1426
www.naeyc.org

National Highway Traffic Safety Administration

400 Seventh Street, S.W.
Washington, DC 20590
888-327-4236
www.nhtsa.dot.gov

Safety Training Institute

The National Safety Council
1121 Spring Lake Drive
Itasca, IL 60143-3201
800-621-7619
www.nsc.org

It's All About Safety

Safety is your primary goal. It's ours, too. The best way to keep people safe is to prevent accidents from happening in the first place. Markel's Safety 1st Education program and risk-management experts can show you how. The program includes:

- Safety 1st publications
- Risk Management Newsletter series
- Video lending library
- Training
- Program and facility assessments
- Seminars
- Analysis of loss trends

Please explore our web site, www.markelinsurance.com, to find out more about our programs, or call us at 800-431-1270.



MARKEL INSURANCE COMPANY

4600 Cox Road
Glen Allen, Virginia 23060
800-431-1270