

# Accident investigation policy

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[Company name]'s policy is to fully investigate any accident involving company personnel and vehicles.

The procedures described below define the systematic approach we will use.

[Company name] believes strongly that accident investigation begins right at the scene. That means certain driver responsibilities must be carried out at the scene of an accident. Additional company procedures involved in accident investigation are described below.

[Company name]'s policy is that drivers who leave the scene of an accident (without permission to do so from an authorized company official or without due cause) may be subject to disciplinary action, up to and including termination, depending on the circumstances involved.

## Accident Investigation Procedures

Two main concerns at the scene of an accident are to deal with immediate problems and to gather and report pertinent accident information to your supervisor promptly. These two items can be broken down into a 6-step accident procedure for drivers to follow. These steps will be described in detail in the following paragraphs.

Depending on the severity of the accident, drivers for [Company name] will be expected to follow some or all of the procedures listed below.

### Dealing with Immediate Problems

- Stop immediately,
- Prevent another accident,
- Help any people who are injured, and
- Notify law enforcement personnel.

### Gather and Report Accident Information

- Document the incident, and
- Report to the company.

**Step 1:** Stop, stay calm, and pull your vehicle as far off the roadway as safely possible. If the accident involves an unoccupied vehicle, try to find the owner. If you can't find the person, leave your name, address, and phone number, along with the company's name and phone number. Put the information in a visible location, such as under the windshield wiper blade. You should also make note of the make, model, year, license number, and description of the other vehicle to provide to your company.

**Step 2:** Turn on your four-way flashers as an immediate warning signal. Then do a quick evaluation of accident victims, if any. Next set out emergency warning devices as required by 49 CFR Sec. 392.22 in the prescribed positions on the roadway. The FMCSRs require that emergency warning devices be in position within 10 minutes of stopping.

**Step 3:** Even if you have not been formally trained to provide first aid, most states have "Good Samaritan" laws to protect untrained people who offer help in emergency situations. Many states also have laws requiring the first person that comes upon an accident scene to stop and render help. At the scene, you may need to provide first aid or make certain someone else is present who can do so. Arrange for somebody to call for medical assistance.

At a minimum, do the following:

- Make certain any injured person is breathing. If not, lift the jaw up and tilt the head back to open the airway (artificial respiration may be necessary).
- Check for bleeding, and if necessary, apply direct pressure to any wound(s).
- Cover any injured persons with blankets or other available materials to maintain body temperature.
- Never move a severely injured person unless he/she is in immediate danger of further injury.

**Step 4:** Either contact local law enforcement personnel yourself or arrange to have someone do it for you. Be courteous and cooperative when providing information to these authorities. Never admit guilt or liability at the scene of an accident. Never leave the scene of an accident unless your CB radio or cellular phone is not working and there is no one else to make the necessary calls.

**Step 5:** Write down names, license numbers, and other information regarding the accident and those people involved in it. Draw a simple diagram of the accident scene. The more detail you can provide for the company's safety department, the better it will be for insurance and/or legal purposes later. If your company provides a disposable camera for use at accident scenes, document the situation with photographs from various angles.

**Step 6:** After the vehicle has been secured, warning devices put in place, assistance rendered to injured person(s) (if any), and law enforcement personnel contacted, you (the driver) should communicate the accident to the company.

Before communicating an accident, drivers for [Company name] are expected to gather the following information and details:

- Exact time and location of the accident,
- Estimate of the injuries (if any) and/or damage to vehicle(s) and property involved,
- A location and/or phone number where you can be reached for further information and instructions,

- Names and addresses of all persons involved in the accident,
- Names and addresses of all insurance companies involved, and
- Make, model, and license numbers of all vehicles involved in the accident.

If you are unable to reach your company, contact the nearest office of the corporate insurance carrier and ask them to contact the company for you, Fill out any forms your company provides for you to use at the scene of an accident.

When signaling an accident through [Company name]'s satellite communications system, the driver should stay with the vehicle in order to receive updates and instructions.

List your additional accident information gathering or accident reporting procedures.

[Company name] uses Form name and number supplied by Supplier of form as a data collection device when drivers call in accidents.

Our employees must understand the significance of effective accident investigation and be aware of specific issues on which [Company name] will focus its attention. Most importantly, they need to know what changes in behavior are necessary to prevent accident recurrence. Generally, five major areas are evaluated in accident investigation. These areas will be examined in full after an initial evaluation is made of the severity of the accident.

After an initial contact with the driver of the vehicle involved in an accident, the company will determine the level of official involvement that needs to happen in the specific instance.

Title of person sent to accident scenes to assist investigation or an insurance adjuster representing [Company name] may be sent to the accident scene to assist in on-site investigation and handling of the accident details.

Briefly describe your overall accident investigation process.

[Company name] contracts with Accident investigator to handle complex accident investigations, according to the [Company name] procedures to be described below.

After detailed investigation is completed, accident reconstruction may be attempted in some cases, if deemed necessary by Title/name.

Accidents don't just happen. They usually represent a failure of some procedure within [Company name]. Causes for accidents can be grouped into five basic categories:

- **People:** Some statistics show that 90% or more of all accidents are caused by human error. Our investigations will include examination of the qualifications of the driver(s) involved in the accident.

That will include questions like:

1. Was the driver properly qualified according to company policy and federal requirements?
  2. Did the driver have the proper training?
  3. Was the driver new to the job?
  4. Was the driver working within the guidelines of a job description?
  5. Was the driver under pressure or fatigued?
  6. Did the driver receive clear instructions and directions?
  7. Was the vehicle involved in the accident the driver's regularly-assigned vehicle?
- **Equipment:** A great deal of attention will be focused on the mechanical condition of the vehicle involved in the accident.
    1. That assessment will include questions like:
    2. Was the equipment serviced regularly?
    3. Are there maintenance records to verify that major components had been serviced and repaired (if required) during the past year?
    4. Was the maintenance facility adequately staffed and budgeted to be able to properly support the company's maintenance standard?
    5. Was the equipment properly spec'ed for the cargo it was carrying?
    6. Was a defect not reported or not repaired?
  - **Physical Conditions:** Even though environmental conditions are rarely shown to be the primary cause of an accident. Such conditions may play a significant role in the responses of both vehicle and driver. Investigation in this area will include questions like the following:
    1. Was traffic congested?
    2. Was the highway slippery (wet or icy)?
    3. Was it foggy at the time of the accident?
    4. What time of day did the accident occur?
  - **Procedures:** Were there written procedures in place to be followed by the driver, dispatcher, mechanic, etc. that would have alerted them to any hazards present? Investigation will key on the presence of such policies and may include the following questions:
    1. Were all company policies being followed at the time of the accident?
    2. Have all individuals involved been properly trained in existing procedures?
    3. Was the "procedure" training effective?
  - **Freight:** Gathering information about the freight being hauled when an accident occurred is also vital. Those questions might include:
    1. What was the freight?
    2. Was it time-sensitive?
    3. Was the driver under pressure to meet a deadline?
    4. Was the freight secured properly?

[Company name] uses the following additional accident investigation procedures: List your additional accident investigation procedures..

[Company name] provides an accident investigation equipment "kit" for use by company personnel.

All items in the kit are included in a special case designed to be used at accident scenes to gather information in an organized manner. The case contains: List items included in kit.

At the scene, the [Company name] accident investigator will carefully survey the scene, noting the position of any debris from the accident. Using the equipment in the investigation kit, the investigator should take photos of the scene, with careful notes of what the photos depict. If the kit has a camcorder in it, it can be used to record the accident scene and aftermath, complete with dialog.

A map of the site should be drawn to scale, with any landmarks near the scene noted as to position. Photos of all vehicles involved in the accident should be taken from all sides, with careful notes made. Skid marks should be captured in the line of travel from each driver's viewpoint.

The more accurate the information provided is, the easier it is when it comes to canvassing the accident scene. It is important that the accident investigator be as objective as possible in gathering and evaluating data from the accident scene. Judgment calls do not belong here with the "hard" data available at the accident scene.

Be aware that any information gathered may be used by the other side involved in the accident as well.

Also, be aware that accidents involving hazardous materials have some additional requirements. (See Hazardous Materials Policy.)

Once the investigation at the accident scene has been completed, [Company name] will be in a position to evaluate whether or not accident reconstruction is required in the case of this accident. That decision is made on a case-by-case basis.

A final decision on the preventability/chargeability of the accident in question will be made by Title/name. That decision will then be communicated to the driver of the [Company name] vehicle involved in the accident.

At [Company name], drivers have the opportunity to appeal decisions on preventability/chargeability of an accident.

Describe appeal procedure.