Management and fleet supervisors should establish standards for defensive driving in any type of fleet safety program. The overall performance of the drivers should be evaluated fairly and on a consistent basis. When a collision occurs, the following factors should be evaluated: (i) the events leading up to the collision, (ii) the causes and responsible conditions, (iii) the collision itself, and (iv) the post collision events. Driver errors are one of the factors that should be considered. The standard which should be applied in reviewing the collision is the concept of collision preventability.

What is a Preventable Collision?
The National Safety Council (www.nsc.org) (NSC) has developed this brief definition:

A preventable collision as one in which the driver failed to do everything that they reasonably could have done to avoid it.

The National Safety Council’s Safe Driver Award Program defines a preventable collision as:

“any accident involving an organizational vehicle which results in property damage and/or personal injury, regardless of who was injured, what property was damaged, to what extent, or where it occurred, in which the driver in question failed to exercise every reasonable precaution to prevent it.”


“the concept of preventability is based on the premise that the professional driver is expected to meet a higher standard of performance than the average motorist. It is self-evident that the professional driver should be able to observe and assess the behavior of pedestrians and other drivers and recognize those actions which may create hazardous conditions and take every reasonable measure to avoid involvement in an accident.”

In all the definitions the issue is one that relates to defensive driving, not to legal culpability. The fact that a driver, who becomes involved in a vehicle collision, is not legally charged does not mean that the driver could not have avoided it. When a fleet operation moves from reviewing only collisions where the driver has been charged to reviewing all collisions for preventability, a significant step forward has been made in controlling its overall vehicle collision frequency.
Defensive Driving: Reviewing collisions for preventability promotes defensive driving. Defensive driving can be defined as driving to prevent collisions in spite of the incorrect actions of others and adverse driving conditions, such as light, weather, road, traffic, vehicle condition and your physical and mental state. With this as the standard, it is normally true that when a driver makes an error or fails to act reasonably as a result of the errors of other drivers, the accident is considered preventable.

Legal Liability: When assessing whether a collision was preventable, it is important to remember that the concept of preventability is not the same as legal liability. A professional driver may have been able to prevent a collision from occurring, while at the same time not be legally liable for causing the collision.

Drivers sometimes have difficulty in understanding why their collision was preventable when the other party was deemed at fault and cited with a traffic violation. The concept of defensive driving must be explained in detail to newly hired drivers, and all professional drivers need to be reminded that they are expected to make defensive driving a priority when they operate their vehicle.

Preventability is a common practice in many motor vehicle fleets, and along with driver accountability helps in reducing vehicle collision/accident frequency. It may also be used as the basis for Safe Driver Award programs, safety incentives and other collision/accident prevention programs.

Fair and Honest Decision: Determining preventability involves making a fair and honest decision. A fair decision may only be reached when all the facts are uncovered and the collision’s complete details are obtained. The preventability decision should be made on the basis on what the driver did or did not reasonably do to prevent or avoid the collision. The issuance of a citation is an indication that a collision may have been preventable. The lack of a violation or citation, however, does not make the collision non-preventable. Rather, all the information and reports should be obtained and reviewed to determine whether the collision was preventable or non-preventable. How this is done and who makes the decisions varies from fleet to fleet.

In some companies the fleet safety director, safety director, or a supervisor determines if a collision was preventable. In other cases a Collision/Accident Review Board makes the decision. To fairly hold drivers accountable they should be trained in the concepts of preventability and in defensive driving. Drivers will not understand the process unless they understand why and how they are to be held accountable.

There is often a relationship between preventability and defensive driving.

A Defensive Driver’s Profile is one who:
1. Commits NO driving errors.
2. Makes due allowance for lack of skill or improper driving practices of others.
3. Adjusts driving to compensate for unusual weather, road and traffic conditions.
4. Is not tricked into a collision by unsafe actions of pedestrians or other drivers.
5. Is alert to collision inducing situations.
6. Recognizes the need for preventative action in advance.
7. Takes necessary action to prevent a collision.

Collision/Accident Review Board: If management and the drivers want a more formal process for determining preventability, a Collision/Accident Review Board or Committee may be created. Such review boards are especially effective in deciding borderline cases. Consider the potential make-up of a committee:
• Fleet Safety Supervisor or Safety Director (Serve as chairman and is fully trained in crash/accident prevention, preventability, and defensive driving).
• Operations or Transportation Supervisor (Familiar with the operating rules such as schedules, routes, hours of work, speed limits and related subjects).
• Maintenance Department Employee (Familiar with the mechanical abilities of the vehicles).
• Two Drivers who have been trained and are familiar with the concept of preventability.

The Fleet Safety Supervisor or Safety Director should present the supervisor’s investigation report and collision report information to the members and direct the Board or Committee discussions. Advice should be given on preventative measures, but they should not enter into the discussions or decision of preventability other than to clarify the facts of the collision or the case.

Despite the fact that each collision must be judged individually, experience over the years in fleet safety has shown certain types of collisions are preventable on the part of the driver. A listing of preventable collisions may be obtained...
from the National Safety Council or from The Hartford’s “Guide for Determining Preventability of Motor Vehicle Accidents” (S332.720). The listings are intended as a general guideline; they cannot address every collision, crash or accident that may occur.

Non-Preventable Collisions: Some non-preventable collisions include the following circumstances:

- Struck in rear by other vehicle
  - While proceeding in their lane of traffic at a safe and legal speed
  - While waiting to make a turn from a proper lane
  - While stopped in traffic due to existing conditions or in compliance with a traffic sign, signal or officer
- Struck while legally and properly parked

Materials available from The Hartford Loss Control Department: To assist in developing information as a result of a vehicle collision, The Hartford Loss Control Department has these materials for background information:

- The Vehicle Collision Review form is to be completed by the driver, supervisor and collision/accident review board.
- The Motor Vehicle Supervisor’s Collision Investigation Report is to be completed by the driver’s supervisor.
- Driver Improvement CD available that includes an approximate 45-60 minute driver fleet safety conference on “Preventability.”

Please contact your Hartford Loss Control Consultant for this information.

Summary
The concepts of preventability and defensive driving are essential to the operation of a fleet safety program. A fleet safety supervisor must diligently work to create awareness of not only the importance of preventability, but also the fleet and defensive driving procedures involved. Providing adequate training as well as holding drivers accountable for preventable collisions will not only reduce the vehicle collision/accident frequency but improve the fleet operations and the company’s bottom line.

Resources


For More Information
For additional information specific to your need, please contact your Hartford loss control consultant, or visit us at www.thehartford.com.

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Union contracts and/or state labor codes may impact the creation and make-up of Collision/Accident Review Boards. Always consult your legal counsel with respect to the creation of Collision/Accident Review Boards.

Preventability of Motor Vehicle Collisions
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