RISK CONTROL BULLETIN

Management Guide for Determining Accident Preventability

The determination of accident preventability applies only to the administration of a loss control and safety program. It is only intended as an aid for monitoring the driving habits of drivers and does not apply to a determination of fault, negligence or other legal liability for any driving violation or accident.

1. Preventability and Defensive Driving

The Concept of "PREVENTABILITY" is based on the belief that minimizing accidents and optimizing safe driving performance requires consistent adherence to defensive driving principles and techniques such as those taught by the National Safety Council.

Factors used in determining "PREVENTABILITY" do not include concepts such as fault or negligence, which typically have legal connotations. Instead, with legal considerations aside, determinations focus on using defensive driving ability to avoid accidents, in spite of the wrong actions of the other driver and in spite of adverse driving conditions.

2. Standard of Performance

Accidents involve so many different factors that it is impossible to set hard, fast rules to classify them "PREVENTABLE" or "NON-PREVENTABLE." Management must make this determination. In making these decisions, Management must take the time and effort to insure consistency and impartiality. The following paragraphs are offered as a guide to assist with this process.

3. Intersections

Drivers must approach, enter and cross intersections prepared to avoid accidents that might occur through the action of other drivers. Complex traffic movement, blind intersections, or failure of the other driver to conform to law or traffic control devices will not automatically discharge an accident as "NON-PREVENTABLE." Intersection accidents are typically "PREVENTABLE" even though a driver has not violated traffic regulations.

4. Backing

Practically all backing accidents are "PREVENTABLE." A driver is not relieved of responsibility to back safely even when someone guides the maneuver. Only the driver can control the movement of the vehicle; therefore, the driver must check all clearances through proper use of rear view mirrors and looking backward.

5. Front-End Collisions

Regardless of the abrupt or unexpected stop of the vehicle ahead, a driver can avoid accidents by maintaining a safe following distance at all times. Even under ideal driving conditions, a driver should maintain a 2-second following distance between his vehicle and the one ahead. A driver must also be prepared for possible obstructions on the highway, either in plain view or hidden by the crest of a hill or the curve of a roadway. Overdriving headlights at night is a common cause of front-end collisions. Night speed should not be greater than that which will permit the vehicle to come to a stop within the forward distance illuminated by the vehicle's headlights.

6. Rear-End Collisions

Investigation will often disclose that a driver risked being struck from behind by failing to maintain a margin of safety in his own following distance. Rear-end collisions preceded by a roll back, an abrupt stop at a grade crossing, when a traffic signal changes, or when a driver fails to signal a turn at an intersection are "PREVENTABLE." Failure to signal intentions or to slow down gradually should result in a determination of "PREVENTABLE."

7. Passing

Failure to pass safely suggests faulty judgment and the possible failure to consider one or more of the important factors a driver must observe before attempting the maneuver. Unusual actions of the driver being passed or of oncoming traffic might appear to exonerate a driver involved in a passing accident, however, the entire passing maneuver is voluntary and the driver's responsibility.

8. Being Passed

Sideswipes and cut offs while being passed are "PREVENTABLE," if a driver fails to yield to the passing vehicle by slowing down or moving to the right where possible.

9. Lane Encroachment

A defensive driver is rarely a victim of entrapment by another driver when changing lanes. Similarly, entrapment in merging traffic is an indication of unwillingness to yield to other vehicles or to wait for a break in traffic.

Blind spots are not valid excuses for lane encroachment accidents. Drivers must make extra allowances to protect themselves in areas of limited sight distances.

Squeeze plays causing involvement with parked cars, pillars, and other road structures can be avoided by dropping back when it is apparent that the other driver is forcing the issue or contesting a common portion of the road.

10. Grade Crossings

Collisions with fixed rail vehicles, such as trains, street cars, etc., occurring at grade crossings, in traffic, in a rail yard, switch area or on private property, are the responsibility of the defensive driver to avoid.

11. Opposing Vehicles

It is extremely important to closely examine the action of your driver when involved in a head-on or sideswipe accident with a vehicle approaching from the opposite direction. Exact location of vehicles, prior to and at the point of impact, must be carefully verified. Even though an opposing vehicle enters your driver's traffic lane it may be possible for your driver to avoid the collision. For example, if the opposing vehicle was in a passing maneuver and your driver failed to slow down, stop or move to the right to allow the other vehicle to re-enter its own lane, your driver has failed to take appropriate action to avoid the occurrence. Failing to signal the opposing driver by flicking the head-lights or sounding the horn should also be taken into account.

12. Turning

Turning movements, like passing maneuvers, require the most exacting care. Squeeze plays at left or right turns involving other vehicles, scooters, bicycles or pedestrians are the responsibility of the driver making the turn. Failure to signal, to properly position the vehicle for the turn, to check the rear view mirrors, to check pedestrian lanes or to take any other defensive action should be considered. U-turns by your driver that result in a collision are "PREVENTABLE."

13. Pedestrians

Traffic regulations and accident review findings generally favor the pedestrian hit by a moving vehicle. An unusual route of a pedestrian at mid-block or from between parked vehicles does not necessarily relieve a driver from taking precautions to avoid such accidents. Whether speed limits are posted or the area is placarded with warning signs, speed "too fast for conditions" may be involved. School zones, residential streets, and other areas with special pedestrian traffic must be traveled at reduced speeds appropriate to the particular situation. Bicycles, motor scooters, and similar equipment are generally operated by young and inexperienced operators. The driver who fails to reduce speed when this type of equipment is operated within his sight distance, has failed to take the necessary precaution to avoid an accident. Merely keeping within posted speed limits is not sufficient when unusual conditions call for further voluntary reduction of speed.

14. Weather

Adverse weather conditions are not a valid excuse for being involved in an accident. Rain, snow, fog, sleet, or icy pavement have never caused an accident. These conditions merely increase the hazards of driving. Failure to adjust driving to the prevailing weather conditions, or to "call it a day" when necessary, should be cause for deciding an accident "PREVENTABLE."

15. Alleys, Driveways and Plant Entrances

Accidents involving traffic originating from alleys, driveways, plant entrances and other special intersecting locations should be carefully analyzed to determine what measures a driver might have taken to avoid the occurrence. Failure to slow down, sound a warning or to yield to the other driver can be considered cause to judge such an accident "PREVENTABLE."

16. Fixed Objects

Collisions with fixed objects are "PREVENTABLE." They usually involve failure to check or properly judge clearances. New routes, strange delivery points, resurfaced pavements, inclined entrances and similar situations are not, in themselves, valid reasons for excusing a driver being involved.

17. Parking

Unconventional parking locations, including double parking, failure to put out warning devices, etc., generally constitute evidence for judging an accident "PREVENTABLE."

Roll-away accidents from a parked position normally should be classified "PREVENTABLE." This includes those arising from unauthorized entry by others into an unlocked and unattended vehicle, as well as, failure to properly block wheels or to turn wheels toward the curb to prevent vehicle movement.

18. Mechanical Failure

Any accident caused by mechanical failure that reasonably could have been detected by the driver, but went unheeded, should be judged "PREVENTABLE." It is the driver's responsibility to correct unsafe vehicle conditions and to obtain immediate repairs where continued operation might result in an accident. When mechanical difficulties occur unexpectedly during a trip, and a driver upon discovery, fails to check with his company for emergency instructions prior to an accident, the accident is "PREVENTABLE."

An accident caused by mechanical failure that results from abusive driving should be considered "PREVENTABLE."

19. Non-Collision

Accidents, such as overturning, or running off the road may result from emergency action by the driver to prevent being involved in a collision. Examination of driving practice prior to the accident may reveal speed too fast for conditions or other errors indicating a lack of defensive driving.

20. Miscellaneous

If a driver is involved in an accident, and is found to be in violation of any motor vehicle laws or regulations, the accident would be judged "PREVENTABLE."

It is impossible to describe in detail every way a driver might avoid an accident. This guide merely highlights common occurrences and provides perspective for evaluating them. To further assist, the following standard of Defensive Driving should be applied to evaluate all accidents involving your drivers:

A Defensive Driver commits no driving errors and makes allowances for the lack of skill or improper driving practice of others. A Defensive Driver adjusts his/her own driving to compensate for unusual weather, road, and traffic conditions and is not involved in an accident because of the unsafe actions of pedestrians or other drivers. By being alert to accident producing situations, a Defensive Driver recognizes the need for preventive action in advance and takes necessary precautions to avoid the accident. He/she knows when it is necessary to slow down, stop, or yield the right of way to avoid involvement.

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