

ACCIDENT REVIEW BOARDS

A. PURPOSE:

To promulgate guidelines for establishment of vehicular Accident Review Boards for review of all accidents involving DDSN-owned vehicles.

B. BACKGROUND:

Accidents involving state-owned vehicles resulting in deaths, injuries, loss of employee production time, and loss of state financial resources in the form of insurance premiums and vehicle repair costs. Safe and proper operation of state vehicles is a direct responsibility of operators, supervisors, Regional Centers, and State Fleet Management. Accident Review Boards perform a vital function in the state Vehicle Safety Program by identifying causes of accidents, establishing responsibility for these accidents, and recommending actions to reduce the number of accidents.

C. GOAL OF ACCIDENT REVIEW BOARDS:

The primary goal of the Accident Review Board will be to promote safe driving and to reduce the number of accidents involving DDSN vehicles. Emphasis will be on training drivers and developing safe procedures. These programs can only succeed if each operator of a motor vehicle accepts his or her personal responsibility for safe vehicle operation. In those cases where an individual employee is unable or unwilling to consistently operate motor vehicles safely, the board will recommend that appropriate disciplinary action be taken by the Facility Administrator or Supervisor.

D. COMPOSITION OF ACCIDENT REVIEW BOARDS:

Composition of boards will be at a minimum:

1. Facility Administrator or designee who shall act as Chairman
2. Region Vehicle Coordinator
3. Public Safety Officer/Security Chief/Officer on Duty
4. DDSN Attorney (only when accident results in a death or excessive property damage occurs)
5. Two supervisory representatives appointed by Chairman

E. BOARD RESPONSIBILITIES:

Vehicle Accident Review Boards will exercise three major responsibilities:

1. Review all accidents involving appropriate vehicles (DDSN-owned) to determine cause and to establish responsibility or culpability where appropriate. In such cases, the Review Board has the authority to recommend that the driver be held liable for damage not to exceed the insurance deductible amount or actual vehicle repair cost, whichever is less, if operator negligence has been established. The Board shall also review all moving violations issued to operators of the appropriate state-owned vehicle.

2. Driver Training:

The Review Board will examine present driver training procedures and, where appropriate, will recommend establishment of additional driver training requirements to ensure that all vehicle operators are fully trained and qualified in the operation of their particular vehicle.

3. Disciplinary Action:

Where flagrant or repeated violations occur, the Review Board will refer the case to the Regional Directors or Facility Administrator for further disciplinary action.

4. Appeal:

Decisions made by DDSN Accident Review Boards can be appealed to the following bodies in the order shown:

- a. Vehicle Safety Action Committee
- b. Associate State Director-Administration

F. ACCIDENT REVIEW BOARD PROCEDURES:

1. Meeting frequency: DDSN Regional Boards should meet at least semi-annually or when directed by the Chairman. Generally, board meetings should be called when the region has experienced three (3) or more vehicle accidents. The Board Chairman will contact the board members of the scheduled time and place of the meeting. All accidents shall be reviewed within 30 days.

2. Responsibilities of the Chairman:

The Chairman will ensure that training aids such as blackboard, chalk, and any other necessary equipment are present at the time of the hearing. The Chairman shall also ensure that all documentation concerning the accident is available including:

- a. Copies of the investigating officer's report
- b. Copies of the employee's statement as to what happened
- c. A summary of any court action
- d. Statements from available witnesses

3. Accident Review Procedures:

- a. The Board will be called to order by the Chairman and a note made of members present and members absent.
- b. The accident will be described by the Board Chairman. The completed accident report may be used to obtain specific information concerning the accident. Additional information will be provided to the Board with a complete detailed picture of the circumstances of the accident. The presentation will include the following essential information:

- (1) Estimated speed
 - (2) A description of the intersection, if appropriate, including blind corners and visibility in all directions, parked vehicles, etc.
 - (3) If the vehicle involved in the accident was an emergency vehicle responding to an emergency, the Board will be provided with information regarding the state of the emergency.
 - (4) A positive statement regarding operation of emergency warning devices on the vehicle. Were the emergency lights and sirens serviceable and operating if required?
 - (5) A statement by the operator(s) as to what happened.
 - (6) Answer any questions by members of the Board.
4. Findings/Recommendations of the Board:
- a. After reviewing the circumstances of the accident, the Board will determine whether the accident was preventable or non-preventable. (See Glossary)
 - b. Before reaching a finding of non-preventable, the Board must be satisfied that the accident could not have been prevented by the driver through normal alertness and attention to driving. In the case of an emergency vehicle, the Board must be satisfied that the driver was complying with all laws regarding emergency operation of vehicles.

5. Assessment of Damage:

The employee-operator may be assessed for an amount not to exceed \$200.00 for each occurrence if he/she is found to be at fault in the accident after a review of records conducted by a duly appointed Accident Review Board. The operator may be assessed up to the full cost of repairs if convicted of driving under the influence at the time of the accident and the Accident Review Board determines that the operator's impaired condition substantially was the cause of the accident.

G. DISCIPLINARY ACTION:

In addition to the assessment by the Board or as a separate action upon recommendation of the Board, Regional Centers shall impose, but are not limited to, the penalties described at Appendix C of this manual.

H. REPORTS:

Copies of the minutes of the Accident Review Board shall be furnished to each committee member with a copy being forwarded to the Director-Procurement Services.