



POLICY No. 2014-05 VEHICLE ACCIDENT REVIEW POLICY

Originating Department Report PW-FLE-01-2014

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[Click here for revision history](#)

1. PURPOSE

To ensure that operators of County vehicles and equipment, at all times, act in accordance with County standards, training programs, legislative requirements and in the interest of their own and the public's safety including the avoidance of property damage.

To form a Vehicle Accident Review Committee to inquire into the circumstances, causes, results and prevention of all vehicle and equipment accidents. The committee is to report its findings on the Vehicle Accident Review Committee Form (Schedule "A" - attached) and where appropriate, make recommendations to prevent the reoccurrence of similar accidents.

To ensure that corrective action is taken to eliminate accidents caused by driver error and to satisfy Haldimand County's legislated obligations under the Ontario Highway Traffic Act and CVOR legislation.

2. DEFINITIONS

2.1 "CVOR" means Commercial Vehicle Operators Registration.

2.2 "Driver/Operator" means County employees, including volunteer firefighters that drive or operate County vehicles and equipment.

2.3 "HTA" means Ontario Highway Traffic Act.

2.4 "VARC" means Vehicle Accident Review Committee.

2.5 "Vehicle and Equipment" means County owned and managed vehicles and equipment which have been classified as follows:

- (i) Commercial Motor Vehicles – licensed vehicles with a RGWV rating over 4,500 kg. (approximately 10,000 lbs.) and buses or vans, operated on a highway for the purpose of transporting disabled persons. The vehicle's gross weight rating is shown on the ownership papers. Commercial vehicles are subject to commercial vehicle CVOR legislation.

Although considered commercial motor vehicles, fire apparatus, ambulances and vehicles to transport the disabled are exempt from CVOR legislation.

- (ii) Light Duty Vehicles – licensed vehicles with a RGWV rating of 4,500 kg. or less include light pick-up trucks, vans and automobiles. These vehicles are exempt from CVOR legislation.
- (iii) Off Road Vehicles - non-licensed vehicles and/or equipment such as street sweepers, loaders, graders, tractors, etc., used for construction work.
- (iv) Equipment - handheld or stationary equipment such as chainsaws, trimmers, push mowers, pumps, generators, etc. or self propelled equipment such as ride-on mowers, garden tractors, ice maintenance equipment, etc.

3. DEFENSIVE DRIVING MISSION STATEMENT

Haldimand County drivers are expected to drive defensively at all times. Defensive driving is driving to avoid accidents in spite of the incorrect actions of others and adverse conditions. Defensive drivers must also compensate for adverse weather conditions, road, traffic and vehicle conditions, and avoid any emotional disturbances which may distract their attention from driving. Defensive drivers must not let the actions of others disturb them, and must ensure their actions do not disturb other users of the road or pedestrians.

4. POLICY

Haldimand County has a legal and moral responsibility to ensure that County owned vehicles and equipment are operated in a safe efficient manner and that all vehicular accidents are reported and dealt with in a timely manner. All reasonable precautions will be taken to prevent accidents arising from the operation of vehicles and equipment which may cause damage to property, and/or injury or death to County employees, other drivers or pedestrians.

This Vehicle Accident Review Policy applies to all operators of County vehicles and equipment. If an operator of Haldimand County vehicles or equipment is involved in an accident, their Non-Union Supervisor must be notified immediately. A Vehicle Accident/Incident Report must be submitted to the Fleet and Equipment Operations Division in accordance with the Haldimand County Corporate Fleet Policy.

All Supervisors, in consultation with their Division Manager, must investigate any accidents in accordance with the guidelines set out in the Vehicle Accident/Incident Report and assist the Fleet Coordinator of Safety/Training and/or the Vehicle Accident Review Committee (VARC) with any follow-up investigation.

The Vehicle Accident/Incident Report is to be completed even if the County will incur no costs for the repair. This will provide for efficient tracking and record keeping of incidents that have occurred with Haldimand County vehicles.

This policy is to be used in conjunction with the Ontario Occupational Health and Safety Act, Ontario Highway Traffic Act (HTA) and any relevant Haldimand County Health and Safety Policies or Procedures.

Any personal injuries arising from a vehicle or equipment accident must be reported in accordance with the current Human Resources Division policies and procedures.

All vehicle/equipment accident reports will be submitted to the Vehicle Accident Review Committee to review and classify as preventable or non-preventable, in accordance with Schedule "B" – Preventable / Non Preventable Accidents Guidelines (as attached).

For the purpose of counselling, determining the re-training or the administration of discipline, reported accidents will be divided into three categories. The categories are as follows:

1. Preventable Accident

Defined as an accident, where after an investigation, it is determined that the operator was a contributing factor to the cause of the accident.

2. Non Preventable Accident

Defined as an accident where after an investigation it is determined that the operator was not a contributing factor to the cause of the accident.

3. Damage Report

Defined as an accident/incident resulting in physical damage to the vehicle/equipment, where no bodily injury occurred, and where after the supervisors investigation, it is determined that there was no contributing factor on the part of the operator.

Revisions and amendments to this policy will be issued from time to time, in accordance with Schedule "B" – Preventable / Non-Preventable Accidents Guidelines and the Highway Traffic Act.

Vehicle Accident Review Committee

Members:

- Health and Safety Coordinator
- Fleet Coordinator of Safety/Training
- Coordinator Risk Management
- Manager of Fleet and Equipment Operations (advisor when required)
- Manager or designate of the affected Division (as a resource when required)

Frequencies of Meetings

Meetings will be held monthly following the Joint Health and Safety Committee meeting. Special meetings may be called if necessary.

Duties of the Committee

1. Review and establish the accuracy and thoroughness of the statements contained in the original accident report.
2. Recommend actions for the prevention of similar future accidents.
3. Categorize the accident as preventable or non-preventable.
4. Document findings on the Vehicle Accident Review Committee Form.
5. Identify and establish accident trends.
6. Report to the applicable General Manager in the event there are any differences in findings between the Committee and the decision of the applicable Manager.
7. Prepare an annual report to be submitted to the Senior Management Team (SMT) for their review.

Distribution of Committee Reports

Copies of the report will be marked "CONFIDENTIAL" and distributed to:

1. Division Manager (copy to be forwarded to the employee)
2. Non-Union Supervisor of the employee.
3. Driver's file (Fleet Coordinator of Safety/Training).

Vehicle/Equipment Accident Corrective Action

This policy is intended to ensure that corrective action is being taken to eliminate accidents caused by driver error.

It is the responsibility of the employee's Division Manager and Non-Union Supervisor, in consultation with the Human Resources Division, to ensure that any discipline and/or retraining requirements are administered.

If the accident is deemed preventable (as per Schedule "B" – Preventable / Non-Preventable Accident Guidelines), progressive discipline may be used to address performance concerns of the driver involved. Unless unique circumstances warrant and/or depending on the seriousness of the accident, the following progressive disciplinary steps will be used:

1. Verbal discussion to set performance expectations, confirmed in writing.
2. Verbal reprimand, confirmed in writing (minimum step for preventable CVOR events that affect the County's CVOR rating).
3. Written reprimand.
4. Suspension.
5. Termination depending on incident, General Manager recommendation and Chief Administrative Officer approval.

Non CVOR Vehicles/Equipment	CVOR Vehicles
First preventable incident - Step 1	
Second preventable incident within an eighteen (18) month period – Step 2	First preventable incident - Step 2
Third preventable incident within an eighteen (18) month period – Step 3	Second preventable incident within an eighteen (18) month period – Step 3
Fourth preventable incident within an eighteen (18) month period – Step 4	Third preventable incident within an eighteen (18) month period – Step 4

Retraining will be required as directed by the Manager, Fleet and Equipment Operations Division.

Supervisors shall consult with the applicable Manager, General Manager and the Manager of Human Resources when considering disciplinary action. A recommendation to either suspend or terminate requires the approval of the Chief Administrative Officer, or designate.

Any disciplinary action shall be documented and provided to the employee, with a copy forwarded to the applicable General Manager and the Human Resources Division for placement in the employee's personnel file. The employee shall have the opportunity to respond, in writing, to any disciplinary action and request that a copy of the submitted document be placed in his/her personnel file. After eighteen months, if there are no related incidents, the employee may request removal of the disciplinary record(s). Continued employment with Haldimand County shall be conditional upon satisfactory performance at any time.

NOTE:

1. An employee who fails to report a vehicle accident shall be subject to disciplinary action up to and including the possible suspension of his/her operating privileges or dismissal.
2. An employee who is involved in a vehicle accident and is found to be under the influence of alcohol, drugs or other intoxicants will be subject to disciplinary action up to and including dismissal.

5. REFERENCES

- Fleet Safety Council (Infrastructure Health and Safety Association)
- Canada Safety Council
- Ontario Highway Traffic Act
- Occupational Health and Safety Act

6. ATTACHMENTS

1. Schedule "A" – Vehicle Accident Review Form.
2. Schedule "B" – Preventable / Non Preventable Accidents Guidelines.

REVISION HISTORY					
REPORT	CIC		COUNCIL		DETAILS
	Date	Rec#	Date	Res#	
	Date	Rec#	Date	Res#	
	Date	Rec#	Date	Res#	
	Date	Rec#	Date	Res#	
	Date	Rec#	Date	Res#	
	Date	Rec#	Date	Res#	

SCHEDULE "A"



Vehicle Accident Review Form

To: _____

From: **Vehicle Accident Review Committee**

Date: _____

Accident Date: _____

Claim Number: _____

Unit Number: _____

This is to inform you that the Vehicle Accident Review Committee has assessed the above accident. Pursuant to this assessment the accident has been deemed:

Preventable

Non-Preventable

Thank you for your assistance in this matter.

On Behalf of the Vehicle Accident Review Committee

SCHEDULE "B"

PREVENTABLE / NON PREVENTABLE ACCIDENT GUIDELINES

The heart of any driver safety program is the careful determination of the prevention of each accident in which a driver is involved.

Despite the fact that each accident must be judged individually, experience in fleet safety suggests that certain types of accidents are generally non-preventable on the part of the professional driver, and that certain others, in the absence of extenuating circumstances and conditions, are preventable. The types of accidents listed below cannot cover every accident which may occur but are intended to provide guidance in determining the prevention of an accident.

Non Preventable Accidents

1. Struck In Rear by Other Vehicle

- a) Employee's vehicle was legally and properly parked;
- b) Employee was proceeding in his/her own lane of traffic at a safe and lawful speed;
- c) Employee was stopped in traffic due to existing conditions or was stopped in compliance with a traffic sign or signal or the directions of a Police Officer or other person legitimately controlling traffic;
- d) Employee was in the proper lane and waiting to make a turn.

2. Struck While Parked

- a) Employee was properly parked in a location where parking was permitted;
- b) Vehicle was protected by emergency warning devices as required by Federal, Provincial and Municipal regulations, or if employee was in the process of setting out or retrieving signals or warning signs. These provisions shall apply to the use of turn signals, four way flashers, directional arrows and overhead dome lights as emergency warning lights under Provincial regulations.

Preventable Accidents

1. Accidents at Intersections

- a) Failed to control speed so that he/she could stop safely within the available sight distance;
- b) Failed to check cross traffic and wait for it to clear before entering the intersection;
- c) Pulled out from side-street in front of oncoming traffic;
- d) Collided with person, vehicle or object while making a right or left turn;
- e) Collided with vehicle making a turn in front of him/her.

2. Striking Another Vehicle in the Rear

- a) Failed to maintain a following distance that was safe and have his/her vehicle under control;
- b) Failed to be alert to traffic conditions and note slow down;
- c) Failed to ascertain whether the vehicle ahead was moving slowly, stopped or slowing down for any reason;
- d) Misjudged the rate of overtaking;

- e) Came too close before pulling out to pass;
- f) Failed to wait for the car ahead to move into the clear before starting up;
- g) Failed to leave sufficient room for passing vehicle to get back into lane.

3. Sideswipe and Head-On Collisions

- a) Was not entirely in his/her own lane of travel;
- b) Did not pull to his/her right and slow down and stop for vehicle encroaching on his/her own lane of travel when such action could have been taken without additional danger.

4. Struck In Rear by Another Vehicle

- a) Was passing slower traffic near an intersection and had to make a sudden stop;
- b) Made a sudden stop to park, load or unload;
- c) Vehicle was improperly parked;
- d) Rolled back into another vehicle while starting on a grade.

5. Yielding Right Of Way

- a) Failed to yield right of way when necessary to avoid an accident.

6. Backing Up Accidents

- a) When backing up could have been avoided by better planning of the route;
- b) Backed up into traffic stream when such backing could have been avoided;
- c) Failed to get out of the vehicle and check proposed path of travel;
- d) Depended solely on mirrors when it was practicable to look back;
- e) Failed to get out of the vehicle periodically and recheck conditions when backing up for a long distance;
- f) Failed to sound horn while backing up;
- g) Failed to check behind vehicle parked at curb before attempting to leave parking space;
- h) Did not use a guide when one was available or relied solely on a guide to help him/her to back up;
- i) Backed up from blind side when he/she could have made a slight angle approach.

7. Accidents Involving Rail Operated Vehicles

- a) Attempted to cross tracks directly ahead of train;
- b) Drove into side of train;
- c) Stopped or parked on or too close to tracks.

8. Accidents While Passing

- a) Passed where view of road ahead was obstructed by hill, curves, vegetation, traffic, adverse weather conditions, etc.;
- b) Employee attempted to pass in the face of closely approaching traffic;
- c) Employee failed to warn the driver of the vehicle being passed;
- d) Employee failed to signal change of lanes;
- e) Employee pulled out in front of other traffic overtaking from the rear;
- f) Employee cut in short returning to right lane.

9. Accidents While Being Passed

- a) Employee failed to stay in his/her own lane and hold or reduce speed to permit safe passing.

10. Accidents While Entering Traffic Stream

- a) Employee failed to signal when pulling out from curb;
- b) Employee failed to check traffic before pulling out from the curb;
- c) Employee failed to look back and check traffic if he/she were in a position where mirrors did not show traffic condition;
- d) Employee attempted to pull out in a manner which forced other vehicle(s) to change speed or directions;
- e) Employee failed to make a full stop before entering from a side street, alley or driveway;
- f) Employee failed to make a full stop before crossing a stop bar;
- g) Employee failed to yield right of way to approaching traffic.

11. Pedestrian Accident

- a) Employee did not reduce speed in an area of heavy pedestrian traffic;
- b) Employee was not prepared to stop;
- c) Employee failed to yield right of way to pedestrian.

12. Mechanical Defects Accidents

- a) Defect was the type which the employee should have detected when performing a pre-trip or post-trip inspection of the vehicle;
- b) Defect was the type which the employee should have detected during the normal operation of the vehicle.

13. All Types of Accidents are Preventable if:

- a) Employee was not operating at a speed consistent with the existing conditions of the road, weather, and traffic;
- b) Employee failed to control speed so that they could stop within assured clear distance;
- c) Employee misjudged available clearance;
- d) Employee failed to yield right of way to avoid an accident;
- e) Employee failed to accurately observe existing conditions;
- f) Employee was in violation of County operating rules or special instructions, the regulations of any Federal, Provincial, or Municipal regulatory agency or applicable traffic laws.

This guide while it is designed to assist in determining the prevention of accidents, cannot list every type of accident that may be encountered, nor can it list all of the factors that may be involved in a given accident. It does however cover the most common aspects of the principal types of accidents and, as such, it can serve as a guide for consideration of each accident, and as point of departure for assessing prevention.

While evidence of a violation of the law is a clear cut indication of the prevention of an accident, the absence of any violation does not make the accident NON-PREVENTABLE.

There are many steps that the professional driver can and must take to avoid an accident which are above and beyond the requirements of the law. It is the extent to which the employee could and did take such steps which must be determined and evaluated on the basis of the facts of the accident.