



Gallagher | LOSS CONTROL PRACTICE GROUP

Fleet Safety Program

Guidelines to developing a fleet safety program

Troy J. Guidry, CSP

This document is intended to help companies develop a written fleet safety program. This document does not cover all state and local laws, as well as Federal DOT regulations. Please consult with your company attorney on application of any of the policies and procedures enclosed.

Sample Fleet Safety Program

Policy Statement

Our motor fleet safety program has been implemented to promote safe driving on and off the job. When properly implemented, this program can help reduce the frequency and severity of crashes and violations in our vehicle operations. Our focus is on reducing the financial burden of crashes and the accompanying human suffering. It is equally important that we present a strong public image of a company that puts safe drivers on the road.

We will properly select and train employees who drive on company business and we will keep well-maintained vehicles. **(Company Official)** is appointed our Fleet coordinator with responsibility for managing vehicle and driver safety issues. He/she has authority to implement our vehicle safety program and is accountable to **(Executive Management Official)** for its effectiveness.

Our Fleet coordinator is responsible for investigating, documenting, contacting and maintaining communication with our insurance carrier, and following up on automobile claims handling. **Our Fleet coordinator is also responsible for maintaining and complying with all DOT regulations regarding Driver Qualification, Hours of Service, Vehicle Maintenance, and Cargo Securement.**

This program has been designed to address vehicles driven by or for **(delete or add functions as appropriate)**:

- Sales associates
- Supervisors/Management
- Delivery operations
- Transport operations between facilities,
- Related business purposes when using company vehicles or personal transportation.

(Assigned line manager or general manager) and a review board team will be formed to promptly review all crashes or incidents.

Employees are required to immediately report all crashes and moving violations that occur during work-related activities, if they are driving a company-owned or personal vehicle on company business.

We will provide safe and reliable transportation to authorized drivers, and the resources for properly maintaining company vehicles. It is each driver's responsibility to ensure proper vehicle maintenance, exercise defensive driving habits, maintain a good driving record, and adhere to the company safe driving expectations and objectives of this program.

Employees who are authorized to drive personal vehicles on company business are expected to maintain their vehicles in safe operating condition, as well as provide the fleet coordinator with proof of liability insurance with minimum coverage that aligns with corporate risk management philosophy. All occupants of company vehicles and occupants of personally owned vehicles driven on company business must wear seat belts / restraints at all times.

We will adhere to all federal, state and local laws governing vehicle operation.

(Company Executive)

(Designated Fleet Coordinator)

(Company Name)

(Date)

Vehicle Safety Program Elements

The following driver evaluation, selection, training, and reporting tools will be used to help administer a successful safety plan:

Driver Selection and Questionnaire

Employees with poor driving records expose our company to potentially significant liability. We will only allow the use of our company vehicles, and the operation of non-company owned vehicles on company business, by those drivers who are qualified to drive based on the following criteria:

Applicants for jobs that require operation of a company vehicle must list all moving violations or vehicle crashes (within the most recent three years) on their application. If the application indicates an unacceptable driving record, the applicant will not be considered for a position requiring the operation of any vehicle.

Current employees whose position requires driving on company business must also complete the Driver's Questionnaire (see page 7).

Employees who are assigned company vehicles or who regularly operate personal vehicles on company business are expected to maintain acceptable driving records, per our company's Motor Vehicle Record Criteria definitions.

Motor Vehicle Record Check

The Motor Vehicle Record (MVR) is a list of moving violations and crashes reported against a driver's license number for the past three to five years, in most states. The prospective driver may provide, in writing, a copy of their MVR once employment has been offered. A copy may be obtained, for a small fee, with the employee's permission by writing to the proper state Department of Motor Vehicles.

Drivers with unacceptable driving records (refer to Motor Vehicle Record Criteria page 8), may be subject to having job review and possible removal from positions requiring driving.

Drivers are required to report any crashes or moving violations to their supervisor immediately following the occurrence (including those occurrences while driving a personal car while on company business). Drivers are responsible for notifying their supervisor of final outcomes of violations.

As a condition of their continued employment as a company driver, an MVR will be obtained, at least annually, on all employees who drive on company.

Hiring and Retention Standards and Employee Agreement

The use of Motor Vehicle Records: Employee Acknowledgement and Agreement objectively evaluates applicants and existing employees who drive. Our company policy defines the number of violations a driver can have before losing his or her privileges to operate a company vehicle, or to perform driving duties. A copy of the policy will be given to the driver for their records, and a signed copy placed in each driver's personnel file.

Road Tests

Prior to employment in a position requiring driving on company business, the applicant will complete a driving test in the vehicle that he/she will most likely be driving. An employee or manager trained in administering road tests will conduct the road test. It is suggested that a Road Test be at least 20 miles in length over a planned route.

Crash Procedures and Reporting Forms

Any vehicle driven on company business must carry a vehicle crash reporting form (not provided as part of this plan). All drivers are expected to conform to the state laws governing actions at the scene of a crash. All crashes, regardless of severity, must be reported to the Fleet Coordinator and the employee's direct manager by using our company's vehicle crash reporting form.

Vehicle Condition Reports (Inspections)

Drivers must complete a company approved vehicle checklist at least annually. Service and maintenance logs must be kept for each vehicle. Manufacturer's recommendations for vehicle maintenance must be followed.

Each vehicle shall have an emergency road kit containing our company's vehicle crash report form with camera.

Safe Driving Performance Expectations

Driving is a critically important part of the job for those employees assigned company vehicles or operating their own vehicle for company purposes. Evaluations of their job performance will include an evaluation of their driving performance.

Safe driving performance also includes responsible use of mobile communications devices. Please make sure to read and follow the policies outlined in our Mobile Device Use Policy for Drivers

Driver Training and Continuing Education

New drivers will undergo a preliminary new employee orientation for new hires or transferred employees who now have driving responsibilities. Our Fleet Coordinator will determine a schedule of topics for regular continuing education.

Topics can include, but are not limited to:

- Company policies and procedures for operation of company-owned vehicles
- Safe driving objectives and company expectations
- Vehicle use and limitations for personal use
- Annual MVR checks and methods for management evaluation
- Cargo handling and security precautions
- Driver training and crash reporting/response procedures
- Vehicle maintenance and inspection requirements
- Concepts of safe driving
- Territory and routes of expected travel
- License requirements (CDL, verification of physical/visual exams, etc.)

All other employees that drive a company vehicle or drive a personal vehicle for company business will go through a defensive driving course every **(time period)**. This could include **(Company Name)** internal defensive driving **or a recognized third party driver training**.

All drivers will also attend required monthly/weekly/daily safety meetings that should also include a driving topic.

Post Crash or those receiving Moving Violations could also be required to attend additional training.

DOT drivers will also go through various additional training:

- Hours of Service (Driver Logs)
- Drug and Alcohol Policy
- Cargo Securement
- Hazardous Materials
- Vehicle Maintenance (Vehicle Inspection)

Mobile Device Use Policy for Drivers

Policy regarding use of cellular phones, personal digital assistants (PDAs), converged devices, texting devices, computers and other mobile electronic devices.

Our company is committed to providing a safe work environment for all our employees. In addition, we strive to prevent injury to third parties while our employees are performing work-related activities.

Using cellular phones, computers, messaging devices, or any other mobile electronic device while operating a motor vehicle is a critical safety concern for **(Company name)**. As research has shown, such devices significantly distract drivers. Distracted driving increases the likelihood that a crash will occur.

This policy is intended to control the circumstances under which an employee can utilize a cell phone or other remote device while operating a motor vehicle on company business, regardless of whether the vehicle is company-owned or employee-owned.

(Company name) requires all drivers on company business and drivers operating a company-owned vehicle for personal use to adhere to the following policy parameters while operating the motor vehicle:

- Employees must comply with federal, state or local laws and regulations that may exist to control usage of mobile devices while operating a motor vehicle.
- If it is necessary to place a cellular phone call at any time while operating a motor vehicle, the employee will safely drive his or her vehicle to an off road location where the vehicle can be stopped without risk to the employee or any third party.
- When pulling over safely is not an option, all mobile phone use must be hands free. Any phone not equipped for hands free operation will not be used while operating a motor vehicle. Focusing on the driving task should be the driver's first priority.
- Drivers will not send or review received text messages, either on a company-owned or personally-owned device.
- Drivers will not operate any other mobile device, including but not limited to a Personal Digital Assistant (PDA), converged device, pocket PC, binaural headset-based audio device, such as an MP3 player or laptop computer, either in a company owned or personally owned vehicle while on company business.
- Navigation systems will be programmed before the trip is started, not while the motor vehicle is in operation.

Any employee who fails to adhere to this policy may be subject to disciplinary action, including, for example, written warning and/or subsequent restrictions on using a vehicle for company business. Employee safety is a priority at **(Company name)**, and your adherence to these guidelines will help us maintain the personal safety of our employees as well as that of our fellow drivers on the road.

Driver Receipt

I hereby acknowledge receipt of the **Mobile Device Use Policy for Drivers**. I agree to abide by the directives set forth in this policy and to conduct myself according to the standards established therein.

Signature

Printed Name

Date

To be kept in employee file.

Driver Questionnaire

(Use this as a guide and customize to your organization's needs.)

Name: _____

Present Address: _____

In what states have you held a valid driver's license? _____

1. Do you possess a current vehicle operator's license? ____ YES ____ NO

	Vehicle Operator License	Other License (CDL, Chauffeur, etc)
State:	_____	_____
Expiration:	_____	_____
License #:	_____	_____
Full Name:	_____	_____
	(As it appears on license)	

2. Have you ever had an operator's license revoked or suspended? ____ YES ____ NO
If yes, please explain. _____

3. List all moving violations and crashes you have had within the last 3 years. (If none, write "NONE.")
(1) _____
(2) _____
(3) _____
(4) _____

4. Have you ever received a citation for driving while under the influence of alcohol, drugs or other controlled substances? ____ YES ____ NO
If yes, explain _____

5. Have you ever been required to attend an alcohol offender's school, traffic offender's school or other remedial traffic school required by the courts? ____ YES ____ NO
If yes, explain _____

6. Have you ever completed a driver's education course? ____ YES ____ NO
If yes, when? (Date) _____

I understand that all of the information provided on this form will be kept confidential, and certify that, to the best of my knowledge, the above information is correct. Any falsification may result in disciplinary action up to and including termination.

Signature of Applicant

Date

Motor Vehicle Records

(Use this as a guide and customize to your organization's needs with consideration to your company's risk tolerance. Keep in mind that, in the event of future litigation, your willingness to accept risk will be compared to other companies and carefully looked at by plaintiff attorneys and juries.)

For All Drivers:

A copy of the driver's Motor Vehicle Record (MVR) should be obtained to ascertain that applicants and existing drivers have a valid license and to review past driving records. A history of crashes and moving traffic violations could indicate a problem.

There is no magic formula for analyzing MVRs that addresses the needs of all organizations. Organizations that operate motor vehicles would prefer to see a "clean" record (i.e., crash and violation free). Companies should establish criteria based upon their acceptance of risk and best practices (outlined in industry recognized guidelines such as ANSI Z15.1) for what constitutes an acceptable MVR and the penalties involved in not meeting such criteria. NOTE: caution should be exercised to assure that all applicant's/employees are being evaluated under the same criteria.

MVRs should be used in the qualification process of new drivers, but may also be an indicator that driver counseling or training would be beneficial for existing drivers. Training after a conviction may help a driver recognize the importance a company places on "safe" driving and helps reduce the likelihood of future, similar involvement.

There should however, be certain offenses which receive higher consideration for action, such as:

- Any felony involving the use of a motor vehicle;
- Driving under the influence of alcohol or drugs (or refusal to be tested); and/or
- Leaving the scene of an accident.

For Existing Drivers:

This Employee Acknowledgement and Agreement defines the number of violations received before action may be taken regarding losing privileges to operate a vehicle on company business. The offenses are not limited to those committed while operating on company business.

This written notice and signoff acknowledgement must be retained in each driver's personnel file, indicating full understanding of the MVR criteria and respective consequences.

Minor Offenses

(Company to define individual offenses)

Within any 12 Consecutive Month Period

1st Offense: Written warning and counseling

2nd Offense: *(Company shall define consequences)*

3rd Offense: *(Company shall define consequences)*

Within any 24 Consecutive Month Period

2nd Offense: Written warning and counseling

3rd Offense: *(Company shall define consequences)*

4th Offense: *(Company shall define consequences)*

Major Offenses

Major Offenses are defined below and carry a consequence per the following:

- Any felony conviction in which a vehicle is used: *(Company shall define consequences)*
- Failure to stop, report or comply with state statutes when involved in a crash: *(Company shall define consequences)*
- Any display or evidence of reckless driving, excessive speeding, endangerment of others, (or your company's specific offenses.): *(Company shall define consequences)*

DUI (driving under the influence), DWI (driving while intoxicated) or OUI (operation under the influence):

1st Offense: (Company shall define consequences) Note: operating a motor vehicle while impaired is a major offense. Companies must understand that continuing to allow an employee to operate a motor vehicle on company business may be considered negligent entrustment in future legal proceedings.

Preventable Crashes

As defined by the National Safety Council regarding what actions the driver took to do "everything reasonable to avoid the crash, etc." A formal review by management and the employee's supervisor will convene to evaluate the circumstances of the crash.

Within 36 Months:

1st Crash: Evaluation and counseling

2nd Crash: (Company shall define consequences)

3rd Crash: (Company shall define consequences)

Commercial Drivers

All drivers who operate a commercial vehicle (Class A or B CDL or combination of vehicles that make the vehicle a commercial vehicle) will be required to go through a formal Annual Review process. The driver will complete a Certificate of Violations form every 12 months after hire and (Designated Fleet Coordinator) will review the drivers MVR and determine if the driver meets minimum requirements for safe driving

Driver Testing and Training

(Use this as a guide and customize to your organization's needs.)

Purpose

Establish a minimum level of driving skills needed to operate motor vehicles in a safe and legal manner.

Driving skill and ability shall be demonstrated by the driver (and prospective applicant) by having him or her operate the vehicle, or similar type that will be used in the job, under the direct observation of their current or prospective supervisor. This evaluation will verify competency, driving habits, skills and attitudes conveyed during the operation of a vehicle.

Responsibility

Management has responsibility for ensuring that vehicles driven on company business are operated only by qualified drivers who have demonstrated their competency in operating the vehicle under varied conditions.

Demonstrating Driving Ability

These tests will determine an applicant's skill in handling equipment in a limited area. Different skill tests are required of automobile users versus operators of delivery vans or straight trucks. For delivery vehicles, exercises will include parallel parking and backing. Performance will measure the applicant's skill in maneuvering a vehicle and their ability to practice good judgment and courtesy.

Road tests will be given in normal traffic conditions over a prescribed course or route at least 20 miles in length, and will be documented on an evaluation sheet by an experienced examiner. The checklist will include various maneuvers to be performed by the driver.

Preparing to Conduct a Road Test

- Select a vehicle and test route that is the same or similar to the one the applicant may drive if hired.
- Practice conducting the road test before actually administering it, to become familiar with the route and scoring procedure. Be certain it is representative of the actual driving tasks the driver will perform.
- Each applicant examined will be rated in accordance with the established standard.

Parking Lot and/or Dock Test

- Remembering to walk around the vehicle before moving it
- Ability to maneuver the vehicle in tight spaces
- Ability to judge the width and length of the vehicle
- Ability to back up in a straight line (using mirrors only if a van or straight truck)
- Ability to successfully judge spaces and distance using spotters for backing
- Communicating with dock personnel to pre-plan maneuvering and hookup (if applicable)
- Stabilizing vehicle after connection (if applicable)

Road Test

- Remembering to walk around the vehicle before moving it to determine if there are obstructions
- Controlling speed and flow with traffic
- Using mirrors effectively when maneuvering through traffic
- Stopping smoothly and accurately judging distances
- Anticipating and reacting to situations before they become critical
- Observing all traffic laws

Procedures to Follow in a Vehicle Crash

(Use this as a guide and customize to your organization's needs.)

Protect the scene of the crash and take action to prevent additional collisions or injuries.

- Pull off the roadway as far as possible, unless otherwise directed.
- Place reflectors or flares in front of and to the rear of your vehicle. Follow applicable federal or state laws.
- Contact emergency authorities immediately.
- Administer emergency first aid if trained to do so, following any applicable state or local guidelines.
- Obtain and record the following information at the scene of the crash:
 - Name and address of each driver, passenger, and/or witness to the crash.
 - License number of each vehicle involved.
 - Name and policy number of the insurance company for each vehicle involved.
 - Complete a vehicle crash reporting form, including a diagram of the crash.

What to Do

- Be courteous. Do not argue. Keep calm.
- Give your name and address to the injured person or a police officer before leaving the scene. If police respond to the crash, do not leave the scene until you are told you may leave by the officer(s) responding.

What Not To Do

- Do not talk about the crash except to a police officer, your employer or your insurance claim adjuster.
- Make no settlements or offers of settlements to anyone.
- Do not sign any statements or reports other than official police reports.
- **Do not admit fault.**
- Our Fleet Coordinator will conduct a review of each vehicle crash.

Vehicle Maintenance and Inspections

Employees operating company vehicles are expected to make a safety check on their vehicle before driving. The inspection should include, at a minimum, lights, horn, turn signals, brake lights, oil level, coolant level, tire pressure and condition, and adjustment of rearview mirrors. The operator should complete a vehicle condition report according to the schedule required by the driver's manager.

(Company Name) 's Fleet Vehicle Condition Report records must be maintained by the operator assigned to company vehicles for regular inspections and for recording maintenance or repair needs.

All maintenance including oil changes, lubrication, repair, parts, etc., will be recorded on an up to date vehicle maintenance log, which will be kept in the glove compartment of each vehicle. All scheduled maintenance will be in accordance with the vehicle manufacturer's recommendations. All repair needs must be highlighted and brought to the immediate attention of the Fleet Coordinator.

Maintenance of personal vehicles used for company business is the responsibility of the owner. The company reserves the right to inspect a personal vehicle at random, and will subject that vehicle to the same safety criteria as with company owned vehicles. Reports will be retained by the company and kept in the personnel file of the owner/driver.

Commercial vehicles

All drivers who operate commercial vehicles are required to complete a pre-trip inspection prior to operating each day. A DVIR (Daily Vehicle Inspection Report) is required to be completed at the end of the day to note defects found. If a defect is found a mechanic needs to inspect the vehicle, diagnose the condition and make the applicable repairs. The mechanic is to note what has been fixed and the driver signs off prior to dispatch.

Sample Safe Driving Performance Expectations

(Use this as a guide and customize to your organization's needs.)

- Seat belts must be used by driver and all passengers.
- Properly installed child safety seats or booster seats must be used for all children under 80 lbs.
- Keys must never be left in the vehicle. Spare keys are to be kept in the office or at your home.
- Materials and inventory must not be left in plain view where they may be susceptible to theft or damage. Drivers are responsible for the security of vehicles and cargo.
- Lock an unattended vehicle.
- Observe posted speed limits and rules of the road.
- Maintain company vehicles in accordance with our company policy and specifications. You will be responsible for damage to company vehicles resulting from reckless or abusive handling or operation.
- Be courteous to other drivers and pedestrians. Observation reports may be utilized to identify your driving habits and will be used in your evaluation.
- Do not use controlled substances or alcohol prior to or when operating a motor vehicle. Be aware of possible adverse effects of prescription drugs.
- Only the assigned driver or other company personnel engaged in the course of their employment are permitted to drive company vehicles.

Driver Signature

Company Fleet Coordinator

Company Name

Date

Sample Company Vehicle Use Agreement

If any of your employees have company vehicles assigned to them, this risk management tool may be very helpful to you in controlling your commercial auto loss potential. It provides some useful suggestions for provisions you may want to include in a company vehicle agreement that you create to meet your specific needs. If even one employee is assigned a company vehicle, it's essential that you spell out the ground rules for use and upkeep of the vehicle. We strongly recommend that company vehicles be used only for company business. However, if you determine that some personal use will be allowed, it should be closely monitored and controlled.

This document is not intended to be used as is. It is intended to serve as a guide for you to use when developing your own company vehicle agreement.

Upon assuming the position of **(Job Title)** with **(Company Name)** (hereinafter referred to as the Company), as appropriate, effective _____, I will be allowed to use a Company vehicle to perform my job duties. As such, the vehicle is a tool related to the performance of specific jobs and is never to be considered a part of compensation. Therefore, should I be transferred or promoted in the future to a position within the Company for which a vehicle is not deemed an appropriate or necessary tool, I will cease to have the use of the vehicle.

I agree to abide by the following when a Company vehicle is in my care, custody or control:

1. I will use the Company vehicle only for Company business and never for personal use unless specifically authorized, in writing, by my supervisor or another Company person having authority to authorize such use.
2. If personal use of the vehicle is specifically authorized, only I will drive the vehicle.
3. I will practice sound defensive driving techniques and otherwise exercise reasonable care in the operation of the Company vehicle.
4. When used for company business, only company employees or other persons being transported for business purposes will be allowed to ride in or enter the Company vehicle, and only other authorized company personnel will be permitted to drive it.
5. I will not drive the Company vehicle while consuming alcoholic beverages or other drugs or while under the influence of alcohol or other drugs, nor will I allow anyone else to do so. I understand that violation of this policy may mean termination of my employment.
6. I will obey all traffic laws, ordinances, and regulations pertaining to the operation of motor vehicles. I will pay any fines, parking tickets, or other assessments for violations of traffic laws, ordinances, or regulations imposed on me. I acknowledge fines paid by me for any violations of such motor vehicle laws, ordinances, or regulations are totally my responsibility and will not be reimbursed by the Company.
7. I will wear a seat belt at all times and will require all passengers to do so as well. I understand that failure to do so will result in disciplinary action up to and including termination.

8. Prior to driving the vehicle, I will check tires, lights, wipers, horn, turn signals, rear view mirrors, and brakes to be sure they appear to be in safe operating condition. If defects are noted, I will promptly report and/or have them repaired as appropriate.
9. In the event of an accident, I will promptly comply with the Company automobile accident reporting procedures.
10. I understand that if I am involved in an accident with a company vehicle and the Company's insurance carrier assumes responsibility for payment of resulting claims, I may be required to attend a Defensive Driving training course.
11. I am aware that the Company's automobile insurance DOES NOT cover me when I am driving a non-company car for personal use; it only insures the Company vehicles. I understand that if I do not have my own personal auto policy, it is very important that I contact my agent to purchase Named Non-owner automobile insurance to cover me when driving other automobiles (vacation rentals, etc.).

These policies have been fully explained to me and I understand the contents of the Company Vehicle Agreement. I am aware that the failure to abide by these policies will result in disciplinary action, up to and including termination of my employment with the Company.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed in two counterparts each of which constitute an original, effective this _____ day of _____, 20 _____.

(Employee Name)

By: _____
(Employee Signature)

By: _____
(Company Authorized Signature)

Personal Vehicles on Company Business

- Provide the Company with Make/Model/Year of vehicle
- Provide the company with proof of insurance (Insurance card at a minimum). Obtaining the Insurance Declaration Page will allow the company to determine that the driver has adequate auto liability limits.
- Require Drivers to provide a minimum auto liability limit of 100/300/100.
- The company must be named as an additional insured on the driver's liability insurance policy.
- Driver to make sure that all vehicle registration/ annual inspections are conducted prior to expiration.
- The vehicle must pass a documented company safety inspection.
- Driver will not drive the vehicle while consuming alcoholic beverages or other drugs or while under the influence of alcohol or other drugs, nor will I allow anyone else to do so. Violation of this policy may mean termination of my employment.
- Driver will obey all traffic laws, ordinances, and regulations pertaining to the operation of motor vehicles. Driver will pay any fines, parking tickets, or other assessments for violations of traffic laws, ordinances, or regulations imposed on them. Fines paid by driver for any violations of such motor vehicle laws, ordinances, or regulations are totally their responsibility and will not be reimbursed by the Company.
- Driver will wear a seat belt at all times and will require all passengers to do so as well. Failure to do so will result in disciplinary action up to and including termination.
- Driver is not to engage in "Ride Sharing such as Uber, Lyft" without the consent/approval of company management.

These policies have been fully explained to me and I understand the contents of the Company Vehicle Agreement. I am aware that the failure to abide by these policies will result in disciplinary action, up to and including termination of my employment with the Company.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed in two counterparts each of which constitute an original, effective this _____ day of _____, 20 ____.

(Employee Name)

By: _____
(Employee Signature)

By: _____
(Company Authorized Signature)