ACCIDENT REVIEW REPORT

Documentation of the Risk Management Coordinator's determinations shall be submitted to the Chief of Operations through the Administrator of Environmental Health and Safety. Completed reports, with copies of the investigation report, shall be maintained by the Risk Management Coordinator.

Date of Accident:		ODOC Vehicle:	Tag#	ID Number:
Operator's Name:			Case Number:	
Number of previous accidents (past 3 years):				
Injuries Sustained:	Employee	Passenger	Other Vehicle Driver/Passenger	
Law Enforcement Contact:	State	Local	Citation Issued	

Decision (check those that apply):

- ☐ Non-Preventable (no fault, as determined by law enforcement. (Report attached)
- ☐ Preventable Accident (refer to guidelines below)
- ☐ Serious Preventable
- ☐ Unpreventable Accident
- ☐ Off Roadway Damage: The RMC may consider the following as possible guidelines in determining whether or not the employee's actions were reasonable, unreasonable, or unreasonable and reckless:

  Was there a readily discernable and acceptable alternative to driving off the roadway?
  Did the employee use due caution in attempting to minimize damage and/or injury when driving off the roadway?
  Was the incident serious enough to warrant pursuit of a vehicle/person off the roadway and increasing the likelihood of damage and/or injury?
  Could the employee have reasonably anticipated property damage and/or injuries as a result of driving off the roadway?
  Was driving off the roadway more of a convenience than a necessity?

Comments/Clarification:

_____
_____
_____

AR Report Completed by _____
Risk Management Coordinator

☐ Administrator of Environmental Health and Safety Date:_____

☐ Chief of Operations Date: _____

Recommended action to be taken, if accident is found to be preventable. Please check all that apply.

☐ 1. Informal Discipline (Verbal or Written)

☐ 2. Formal Written Discipline (Letters of Reprimand, etc.)

☐ 3. OMES Risk Management recognized Motor Vehicle Improvement (MVI) training as assigned.

☐ 4 Temporary revocation of driving privileges in state-owned vehicle, as designated by OMES Risk Management.

☐ 5. Suspension of one or more days in accordance with OP-110415, “Progressive Disciplinary Procedures.”

☐ 6. Permanent denial of driving privileges in an agency vehicle. Requires approval of agency Director.

☐ 7. Actions reviewed. Referred to IG for an administrative investigation.

_____ _____
Chief of Operations Date

_____ _____
Agency Director, if applicable: Date

Submitted to facility/unit head for action as approved: _____
Date

ACCIDENT DEFINITIONS
PREVENTABLE ACCIDENT GUIDELINES

A. Intersections:

It is the responsibility of agency vehicle drivers to 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 laws or traffic control devices shall be considered when determining if the accident was preventable. This shall only apply if a citation and/or fault is determined by law enforcement.

B. Vehicle Ahead:

Regardless of the abrupt or unexpected stop of the vehicle ahead, your driver may prevent front-end collisions by maintaining a safe following distance at all times. A safe following distance is one that allows the driver sufficient time, distance, and vision requirements to avoid an accident to reduce traffic conflict. This includes being prepared for possible obstructions on the highway, either in plain view or hidden by the crest of a curve of a roadway. Overdriving headlights at night is a common cause of front-end collisions. Night speed shall not be greater than that which shall permit the vehicle to come to a stop within the forward distance illuminated by the vehicle's headlights.

C. Struck From Behind:

Investigation often discloses that drivers risk being struck from behind by failing to maintain a margin of safety in their own following distance. Rear-end collisions preceded by instances such as a roll-back, an abrupt stop at a grade crossing, when a traffic signal changes, or when the agency driver fails to signal a turn at an intersection, may be determined preventable. Failure to signal intentions or to slow down gradually, with no other factors, shall be considered PREVENTABLE. This consideration shall not apply when a citation is issued and/or fault is determined by law enforcement.

D. Passing:

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

E. Being Passed:

Sideswipes and cut-offs involving an agency driver, while he is being passed, may be preventable if he fails to yield to the passing vehicle. This shall not apply when a citation is issued and/or driver fault is determined by law enforcement.

F. Oncoming:

It is extremely important to check the action of the agency driver when involved in a head-on or sideswipe accident with a vehicle approaching from the opposite direction. The exact location of a vehicle, prior to and at the point of impact, shall be carefully verified. Even though an opposing vehicle enters the agency driver's traffic lane, it may be possible for your driver to avoid the collision. Action taken by the agency driver to avoid the collision shall be considered when determining if a collision was preventable. In the event law enforcement issues a citation and/or determines fault, the investigator may use this for recommendation of further action.

G. Fixed Objects:

Typically, collisions with fixed objects are preventable. They usually involve failure to check or properly judge clearances. New routes, strange delivery point, resurfaced pavements under viaducts, inclined entrances to docks, marquees projecting over traveled section of road, and similar situations are not, in themselves, valid reasons for excusing a driver from being involved. An agency driver shall be constantly on the lookout for such conditions and make necessary allowances relative to speed and vehicle positioning.

H. Pedestrians:

Traffic regulations and court decisions 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 prevent 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, shopping areas, residential streets, and other areas with special pedestrian traffic shall be traveled at reduced speeds equal to the particular situation. Bicycles, motor scooters, and similar equipment frequently are operated by young and inexperienced persons. The driver who fails to reduce his speed when this type of equipment is operated within his sight distance has failed to take necessary precautions to prevent an accident. Keeping within posted speed limits is not taking the proper precaution when unusual conditions call for voluntary reduction of speed.

I. Private Property:

When a driver is expected to enter unusual locations, construction sites, etc., or driveways not built to support heavy commercial vehicles, it is the driver's responsibility to discuss the operation with the proper authorities and to obtain permission prior to entering the area.

J. Passenger Accident:

Passenger accidents in any type of vehicle are usually preventable when they are caused

by faulty operation of the vehicle. Even though the incident did not involve a collision of the vehicle, it shall be considered preventable when your driver stops, turns or accelerates abruptly. Emergency action by the agency driver to avoid a collision that results in passenger injury shall be checked if proper driving prior to the emergency would have eliminated the need for the evasive maneuver. The driver is responsible for the utilization of passenger restraint devices.

K. Non-Collision:

Many accidents, such as overturning, jack-knifing, or running off the road, may result from emergency action by the driver to preclude being involved in a collision. Examination of their driving procedure prior to the incident may reveal speed too fast for conditions, or other factors. The agency driver's action prior to involvement shall be examined for possible errors or lack of defensive driving practice.

L. Miscellaneous:

Projecting loads, loose objects falling from the vehicle, loose tarpaulins, or chains, doors swinging open, etc., resulting in damage to the vehicle, cargo, or other property or injury to persons, are preventable when the driver's action or failure to secure them are evidenced. Cargo damage, resulting from unsafe vehicle operation, is preventable by agency drivers. It is the responsibility of the driver to ensure the cargo he/she is transporting is secure.

M. Parking:

Unconventional parking locations, including double-parking, failure to put out warning devices, etc., generally constitute evidence for judging an accident preventable. Rollaway accidents from a parked position normally shall be classified preventable. This includes unauthorized entry into an unlocked, unattended vehicle, failure to properly block wheels or to turn wheel toward curb to prevent vehicle movement.

N. Backing:

Practically all backing accidents are preventable. A driver is not relieved of their responsibility to back safely when a guide is involved in the maneuver. A guide cannot control the movement of the vehicle; therefore, a driver shall check all clearances.

Conclusion:

When an accident is investigated by an outside law enforcement agency and a determination of fault is found against the other driver, this determination does not automatically absolve the agency driver of their responsibility to have taken steps to avoid the accident where possible. It is expected that an agency driver shall take all feasible steps to avoid an accident. Recommendations for remedial training may be applied.