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SAFETY BULLETIN



Is Your Company Prepared in the Event of an Accident?



Today more than ever companies that operate commercial motor vehicles need to prepare in advance for an accident that one of their vehicles may have. Depending on the severity of the accident, just the involvement is enough

to throw the thought process of most drivers and supervisors into array. Companies need to have a clear and direct plan in place that will be implemented when an accident occurs. This plan needs to be flexible and can be activated no matter what time of the day or night. When an accident occurs the company has a number of immediate items that need to be addressed.

1. The safety and protection of the driver and public.
2. Protecting the company's liability and physical damage exposure.
3. Provide information to Law Enforcement officials.
4. Control of progressive damage that may occur from the accident, including Hazardous material spills, cargo and the vehicles.

February 9, 2018



Question of the Week:

I have struck a deer on the roadway and my vehicle is disabled. I have pulled the vehicle onto the shoulder. Where am I required to place my reflective triangles to alert other drivers of the situation I am in?

Answer: First activate your 4-way hazard flashers immediately.

Next place the warning reflective triangles as follows:

5. Compliance with State and Federal Regulations (such as drug and alcohol testing if required).
6. Documenting and protecting the physical evidence at the scene (Spoliation of evidence).
7. Securing witnesses to the accident.
8. Addressing the News Media and Social Media.
9. Having your vehicle towed to a safe and secure site.

Recommendations for a Company to Prepare for an Accident:

1. Put together an accident response team. Ideally this team would consist of the safety director, the driver involved, insurance accident investigator, company's attorney and if needed an accident reconstruction expert.
2. Have an accident action plan in place that outlines the direction and responsibilities of the response team.
3. Develop written policy for drivers to follow when involved in an accident regardless of severity. This would include reporting, conduct at the scene, responsibilities, drug and alcohol testing, etc.
4. Include accident scene training as part of your new driver orientation program. Drivers should know exactly what to do and what NOT to do in the event of an accident.
5. Place Accident Kits in the units. This kit should include a camera, accident report, pencil, and instructions. Place an expiration date on the outside of the kit that coincides with the expiration date of the camera. It is recommended that these kits be sealed or secured so the materials stay fresh.
6. Drivers need to be trained on how to use the camera and which pictures should be taken and which pictures NOT to take.



Photographing an Accident Scene

The old saying “a picture is worth a thousand words” is especially true when talking about taking photos at an accident scene. Over the

- One on the traffic side of and 4 paces (approximately 3 meters or 10 feet) from the stopped commercial motor vehicle in the direction of approaching traffic.
- One at 40 paces (approximately 30 meters or 100 feet) from the stopped commercial motor vehicle in the center of the traffic lane or shoulder occupied by the commercial motor vehicle and in the direction of approaching traffic.
- One at 40 paces (approximately 30 meters or 100 feet) from the stopped commercial motor vehicle in the center of the traffic lane or shoulder occupied by the commercial motor vehicle and in the direction away from approaching traffic.
- **Hills, curves, and obstructions.** If a commercial motor vehicle is stopped within 500 feet of a curve, crest of a hill, or other obstruction to view, the driver shall place the warning signal in the direction of the obstruction to view a distance of 100 feet to 500 feet from the stopped commercial motor vehicle so as to afford ample warning to other users of the highway.
- **Divided or one-way roads.** If a commercial motor vehicle is stopped upon the traveled portion or the shoulder of a divided or one-way highway, the driver shall place the warning devices as follows, one warning device at a distance of 200 feet and one warning device at a distance of 100 feet in a direction toward approaching traffic in the center of the lane or shoulder occupied by the commercial motor vehicle. He or she shall place one warning device at the traffic side of the commercial motor vehicle within 10 feet of the rear of the commercial motor vehicle.

**Registration is Now
Open Online for 2018
Idealease/NPTC Safety
Seminars!**

past years, carriers have been placing disposable film cameras in their trucks to have drivers document evidence from an accident scene. Today, with the evolution of digital cameras it is difficult to even find a place to develop film. Regardless, if a driver has a film or digital camera, have you provided training to your drivers on how to use the cameras? If not, you run the risk that the driver will not have taken photos needed to document evidence or worse yet, that the photos the driver has taken can be used against you in a court of law. Use the following tips to train your drivers:

1. Show the driver how to properly operate the camera (if camera is provided) or make sure they have a digital camera with them. Have photos as samples to show them how close or far to take the photos.
2. Shoot all available pictures on the roll at an accident scene (if film) or make sure they know to shoot plenty of pictures. That one extra picture may hold key evidence to protect your company.
3. Photograph all damaged areas and undamaged areas of all vehicles. Do not forget to photograph the license plate of all vehicles involved in the accident. This photo should be close enough to read the plate and also identify which vehicle it was on, try to include unit number in the picture.
4. Photograph the interior of the vehicles including the dash area and driving compartment. Include in the photo all safety equipment such as seat belts, steering wheel, pedals, and air bags.
5. Photograph the accident scene from all angles. When photographing a vehicle or entire scene, draw an imaginary box around the vehicle or scene. Then photograph from each corner of the box.
6. Take pictures of the roadway leading up to the accident scene. Any skid marks should be photographed in various angles. Include in the photographs stationary objects, telephone poles, road signs, buildings, etc.
7. DO NOT take photos of anyone who has been injured or is deceased due to the accident.

However, take photos of occupants in the other vehicles to document who was involved in the accident. For example, if the driver of the other vehicle is out changing a tire, photograph this action to show the physical condition of the other driver immediately following the accident.



Navigating SAFETY AND COMPLIANCE IN 2018



A one day seminar in your area co-sponsored by Idealease, Inc. and NPTC

Navigating Safety and Compliance in 2018

Seminar Schedule:

3/13/2018	San Martin, CA
3/21/2018	Landover, MD
3/22/2018	Baltimore, MD
4/3/2018	Wausau, WI
4/4/2018	Madison, WI
4/10/2018	St. Louis, MO
4/11/2018	Indianapolis, IN
4/12/2018	Memphis, TN
4/12/2018	Columbus, OH
4/24/2018	Columbia, SC
4/25/2018	Atlanta, GA
4/26/2018	Tampa, FL
4/26/2018	Lancaster, PA
5/1/2018	Ft. Lauderdale, FL
5/2/2018	Ft. Myers, FL
5/8/2018	Seattle, WA
5/10/2018	Lexington, KY
5/15/2018	Detroit, MI
5/22/2018	San Leandro, CA

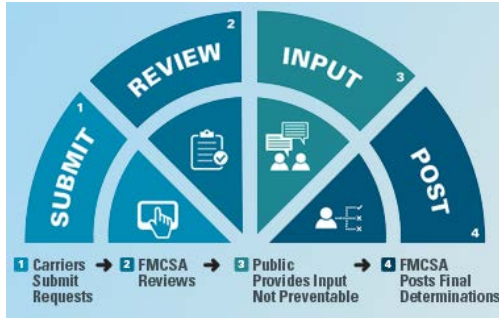
Fall Seminars (Sept-Oct):

TBD	Houston, TX
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FMCSA Offers Clarification on its Crash Preventability Demonstration Program

To clear up confusion on its crash preventability demonstration program, the Federal Motor Carrier Safety Administration (FMCSA) recently published a notice in the Federal Register providing additional information.

On August 1, 2017, the agency's program began accepting requests for data review (RDRs) to evaluate the preventability of certain categories of crashes that occurred on or after June 1, 2017. The RDR is submitted via FMCSA's national data correction system known as DataQs.



TBD	Moncton, NB
TBD	Northern CA
TBD	Northern CA
TBD	Nashville, TN
TBD	Dallas, TX
10/16/2018	Kansas City, MO
10/18/2018	Oklahoma City, OK
TBD	Modesto/Turlock, CA

Based on the first few months of the program, FMCSA identified areas requiring clarification.

Correctly submitting eligible crashes

Some participants of the program are incorrectly submitting requests. Specifically, they are:

- Entering crashes under the standard review program by selecting “Not an FMCSA-reportable crash.” This designation is for those crashes that do not meet FMCSA’s recordable crash definition of a fatality, injury, or property damage requiring a vehicle to be towed from the scene. DataQs RDRs entered into the standard review program will be closed without a preventability determination because they were not submitted under the demonstration program.
- Requesting the review of an ineligible crash. Examples include accidents that do not fall under the eight types of eligible crashes or those that occurred before June 1, 2017. The system will close the RDR without any action for these ineligible crashes.

FMCSA is directing those participating in the crash preventability demonstration program to:

- Select “Crash could not be prevented,”
- Ensure the crash event date is on or after June 1, 2017, and

- Select an eligible crash type.

The agency has created a video for additional information.

Eight eligible crash types

FMCSA indicated that a significant number of RDRs submitted are were not eligible for the demonstration program.

The agency reminds participants that only the following eight crash types will be considered:

1. When the commercial motor vehicle (CMV) was struck by a motorist driving under the influence (or related offense)
2. When the CMV was struck by a motorist driving the wrong direction
3. When the CMV was struck in the rear
4. When the CMV was struck while it was legally stopped or parked, including when the vehicle was unattended
5. When the CMV struck an individual committing, or attempting to commit, suicide by stepping or driving in front of the CMV
6. When the CMV sustained disabling damage after striking an animal in the roadway
7. When the crash was the result of an infrastructure failure, falling trees, rocks, or other debris
8. When the CMV was struck by cargo or equipment from another vehicle

FMCSA reminds stakeholders that the burden of proof for preventability is placed on the submitter. Compelling evidence needs to be provided to the agency for consideration. FMCSA does not require specific documentation. However, the agency may request additional information on the crash that is typically a part of the motor carrier's regulatory recordkeeping (e.g., licensing, medical status).

Reopening RDRs

Submitters are given one chance to reopen their RDR when FMCSA deems the event preventable or undecided, or the RDR is closed for another reason. However, this option is only available if additional or new information is submitted.

Once an RDR is closed, the agency will not respond to additional comments submitted through the DataQs system. Instead, the RDR must be reopened and additional information submitted as cause for FMCSA to reconsider the determination.

How does the program affect CSA scores?



Final determinations made through the demonstration program will be noted in the Compliance, Safety, Accountability (CSA) Safety Measurement System (SMS). However, no crashes are removed from SMS as a result of this demonstration program, and the decisions will not affect the motor carrier's actual CSA Crash Indicator BASIC score. For the purpose of prioritizing motor carriers for safety interventions, FMCSA will continue to use all crashes during the demonstration program.

The agency will use the data from the demonstration program to make improvements to its prioritization tools.

Registration is Now Open Online for 2018 Idealease/NPTC Safety Seminars!

Navigating Safety and Compliance in 2018

Idealease and the National Private Truck Council NPTC will again be hosting safety seminars in 2018. The one day seminar this year will focus on the new Electronic Logging Device (ELD) regulation, basic safety and compliance, regulation changes and CSA. The seminars and will be provided to all Idealease customers, potential customers and NPTC members at no charge. The seminar provides important information applicable for both the novice and experienced transportation professionals. To register for an upcoming seminar in 2018 [Click Here](#).

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