

PREVENTABLE VS. NON-PREVENTABLE INCIDENTS



Dear NETS Members,

June 25, 2010

Rina Muscedere (Spectra Energy) asked about preventable vs. non-preventable incidents.

Thank you to those of you who provided responses.

Please contact me if you have any questions or suggestions.

Yours truly,

Jack

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JMH

Network of Employers for Traffic Safety

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		<p>Do companies distinguish between preventable and non-preventable vehicle incidents?</p> <p>What are the definitions of preventable and non-preventable vehicle incidents?</p> <p>Rina Muscedere (Spectra Energy) rmuscedere@spectraenergy.com</p>
1	Anonymous	<p>As to preventability, it runs the gamut from ALL crashes being preventable to committee's that review the crash and render judgment. The key is to be able to determine if the driver did everything possible to avoid the crash including recognizing that the other driver was about to commit a driving error.</p> <p>It would be my recommendation that Spectra Energy start with the strong premise that all crashes are preventable and the expectation that their drivers must recognize the unsafe behaviors of other drivers including the possibility that other drivers will fail to follow the rules of the road - e.g., run a Stop sign.</p>
2	Anonymous	<p>Yes, regional review teams ensure consistent classification, with global review providing oversight across the regions.</p> <p>We follow the guidance provided by NTSB.</p>
3	AstraZeneca Mary Rose mary.rose@astrazeneca.com	<p>We currently distinguish between preventable/non-preventable although we will be moving away from using that distinction when building a driver's risk profile. Instead, we will be using an event-based criterion to classify the risk of our drivers. While collisions will still be classified as preventable/non-preventable for internal purposes only, the driver's risk profiling will simply indicate that an incident has occurred regardless of how it is classified. We have found that when an incident is flagged as "non-</p>

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		<p>preventable" the driver should still receive coaching but managers do not view it that way. Transitioning to an event-based system will ensure every incident receives the appropriate coaching it needs.</p> <p>When classifying an incident as preventable/non-preventable, we reference the National Safety Council's "A Guide to Determine Motor Vehicle Accident Preventability". That guidance provides criteria for determining the classification of a variety of collision types. Their general definition of a "preventable" collision is as follows: <i>"Any accident involving an organizational vehicle which results in property damage and/or personal injury, regardless of who was injured, what property was damaged, to what extent, or where it occurred, in which the driver in question failed to exercise every reasonable precaution to prevent the accident."</i></p> <p>The guide can be ordered on-line from the NSC: http://shop.nsc.org/Guide-to-Determine-Motor-Vehicle-Accident-Preventability-Revised-Edition-P1743.aspx.</p>
4	Forest Deb Burns DBurns@forestpharm.com	<p>We do distinguish between preventable and non-preventable vehicle accidents.</p> <p>We have no formal definition of preventable and non-preventable vehicle incidents. However, the general rule is that any accident/incident in which the driver has not taken all reasonable precautions to avoid the crash is considered preventable. In the event that a crash is unique and the determination of preventability is unclear, the details are presented to an executive committee for a decision.</p>

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5	Merck Bob Holman robert_holman@merck.com	<p>No, we believe that all collisions (again using the NETS benchmarking definitions) are preventable to one degree or another. We do not believe that separating collisions into "preventable" and "non-preventable" buckets is value added, and in some cases can lead to counterproductive discussions and disagreements. We do have the ability to look at preventability as defined by our collision management vendor, but do not use or publish these categories widely internally.</p> <p>Our collision management vendor uses the NSC definitions, but we do not use these definitions in our policies or programs.</p>
6	Roche Rocco Di Taranto rocco.di_taranto@roche.com	<p>We evaluate preventability.</p> <p>We follow the National Safety Council's Guidelines for Determining the Preventability of a Crash manual.</p>
7	Sanofi-aventis Tom Cosentino Thomas.Cosentino@sanofi-aventis.com	No, we do not distinguish the difference. All are reported in the stats.
8	Sunoco Bill Sanicky WMSANICKY@sunoconinc.com	<p>Preventable Vehicle Accident - A preventable vehicle accident is one in which the driver failed to do everything they reasonably could have done to prevent the accident. Actions of the other driver are not to be considered. For accidents that are not easily determined by this definition, additional guidance can be used from the NSC / ANSI Preventable Vehicle Accident Standard.</p> <p>See NSC/ ANSI Standards document below.</p>

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SUNOCO, INC. NSC / ANSI STANDARDS ACCIDENT PREVENTABILITY GUIDELINES

The National Safety Council *guidelines for determining motor vehicle accident preventability* list a variety of situations in which accidents frequently occur. The guidelines discuss some factors identified with preventable accidents. They suggest how an organization should evaluate accidents involving similar factors. The guidelines, however, do not cover every possible type of accident situation.

Accidents at Intersections

A professional driver has the responsibility to approach, enter, and cross intersections prepared to avoid accidents because of the actions of other drivers. Such actions include excess speeding, crossing a lane in turning, and coming from behind a blind spot. Complex traffic movement, blind intersections, and failure of the other driver to conform to law or traffic control devices do not automatically discharge an accident as *nonpreventable*.

In fact, most accidents at intersections are preventable even though the professional driver has not violated traffic regulations. The professional's failure to take precautionary measure prior to entering the intersection is a factor in making a preventable decision. Even though the actions of the other driver indicated possible accident involvement, the decision based on such entrapment should be *preventable*.

Accidents While Backing

The organization should rule practically all accidents that occur while a vehicle is backing *preventable*. A professional driver is not relieved of responsibility to back safely when another person acts as a guide in the maneuver. A guide cannot control the movement of the vehicle. Therefore, the driver must continue to check all clearances.

Front-end Collisions

Regardless of the abrupt or unexpected stop of the vehicle ahead, a professional driver can prevent front-end collisions by maintaining a safe following distance at all times. This includes being prepared for possible obstructions on the highway, either in plain view or hidden by the crest of a hill or the curve of a roadway.

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Over-driving headlights at night is a common cause of front-end collisions. Night speed should not be greater than that which will permit the vehicle to come to a stop within the forward distance illuminated by the vehicle's headlights.

Rear-end Collisions

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 a roll-back, an abrupt stop at a railroad crossing, when a traffic signal changes, or when a driver fails to signal a turn at an intersection, should be judged preventable. Failure to signal intentions or to slow down gradually should be considered preventable.

Accidents While Passing

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

Accidents While Being Passed

Sideswipes and cut-offs are *preventable* when the professional driver fails to yield to the passing vehicle by slowing down. If the professional fails to move to the right when possible, the accident also is *preventable*.

Accidents Involving Lane Encroachment

Professional drivers sometimes feel they have been a victim of entrapment when an accident occurs as another driver changes lanes. However, a defensive driver is rarely a victim of entrapment. Usually, in accidents involving lane encroachment, the professional has failed to yield to the other driver.

Similarly, entrapment in merging traffic is an indication of unwillingness to yield to other vehicles or to wait for a break in traffic.

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Drivers must avoid squeeze plays causing accidents with parked cars, pillars, and other road structures. The driver can prevent such accidents by dropping back when another driver forces the issue or contests a common portion of the road.

A blind spot is never a valid excuse for lane-encroachment accidents. Drivers must make extra allowances to protect themselves in areas of limited sight distances.

Accidents Occurring at Grade Crossings

Drivers are always responsible for preventing collisions with fixed-rail vehicles such as trains and streetcars. The driver should be especially alert at grade crossing, rail yards, and switching areas, as well as on private property.

Accident Involving Opposing Vehicles

It is extremely important in this case for the accident review committee to examine all the facts. This is especially true when a driver is involved in an accident with a vehicle approaching from the opposite direction. Such collisions may be head-on or sideswipe. Regardless of type, the safety representative should verify the exact location of vehicles prior to and at the point of impact.

Even though an opposing vehicle enters the driver's traffic lane, it may be possible for the driver to avoid collision.

In some areas, the accident is preventable when the opposing vehicle is in a passing maneuver, and your driver fails to slow down, stop, or move to the right to allow the vehicle to re-enter its own lane.

Failure to signal the opposing driver by flicking the headlights, or sounding the horn should also be taken into consideration.

Accidents While Turning

Turning movements-like passing maneuvers-require exacting care on the part of the driver. The driver making the turn is responsible for preventing squeeze plays at both left and right turns. The driver may be responsible regardless of whether the accident involved other vehicles, scooters, bicycles, or pedestrians.

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A U-turn that results in a collision is a *preventable* accident. Failure to properly position the vehicle for the turn is a sign of error. So is failure to check the rearview mirror and to check pedestrian and traffic lanes.

Drivers sometimes feel that accidents caused by sudden turns by others are not preventable. However, extra precaution must be taken based on information received from the driver of the other vehicle immediately preceding the incident. At the first sign of a sudden turn, your driver should take immediate defensive action. Failure to take all appropriate defensive action indicates preventability.

Accidents Involving Passengers

Passenger accidents are preventable when they are caused by careless operation of the vehicle. It does not matter what type of vehicle is involved, or whether another vehicle was involved. Accidents involving passengers are *preventable* when your driver stops, turns, or accelerates abruptly.

The accident also may be preventable even though the driver took emergency action to avoid a collision. Proper driving prior to the emergency might have eliminated the need for the evasive maneuver.

Accidents Involving Pedestrians

Most court decisions generally rule in favor of any pedestrian hit by a moving vehicle. An unusual route of a pedestrian at mid-block or from between parked vehicles does not relieve a driver from taking precautions to prevent such accidents.

The professional driver must slow down in any area where accidents are likely to involve pedestrians. The driver must adjust speed whether or not signs indicate lower speed limits or show other warnings. This means slowing in school zones, shopping areas, residential streets, and other areas with special pedestrian traffic.

The professional must take precautions in areas where people are using bicycles, tricycles, motors scooters, and skateboards. People using such equipment are often the young, the elderly, or the inexperienced. The driver who fails to reduce speed when this type of equipment is operated within sight-distance has failed to take the necessary precautions to prevent an accident. Keeping within posted speed limits is not taking the proper precaution when unusual conditions call for a voluntary reduction of speed.

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Accidents in Bad Weather

Adverse weather conditions are not an excuse for involvement in an accident. Rain, snow, fog, sleet, and icy pavement do not cause accidents. These conditions merely increase the hazards of driving.

Failure to adjust driving to the prevailing weather conditions should result in a ruling of preventable.

Accidents Involving Fixed Objects

Collisions with fixed objects *are preventable*. Such accidents usually involve failure to check or properly judge clearances.

Many hazards are not, in themselves, reasons for excusing a driver from preventing an accident. These hazards include resurfaced pavements, new routes, unusual delivery points, inclined entrances to docks, and marquees projecting over the traveled section of a road. There are dozens driving allowances.

Accidents Involving Private Property

The professional driver has special responsibilities when entering private property. The driver exercises these responsibilities, for example, when making deliveries at unusual locations, such as construction sites, or on driveways not built to support heavy commercial vehicles. There are hundreds of such sites.

It is the driver's responsibility to obtain permission to enter the area. The driver should discuss the operation of the vehicle on private property with the proper authorities. Then, the driver decides whether the travel path can accommodate the vehicle's weight, height, width, and clearance limitation, and also makes a judgement about what defensive driving principles to use.

Failure to carry out these responsibilities is cause for judging an accident *preventable*.

Accidents While Parking

Most accidents that occur while parking are *preventable*. These are some factors that indicate preventability: unconventional parking locations; illegal parking, such as double parking; and failure to put out warning devices.

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Usually the accident review committee would classify as *preventable* accidents resulting from a rollaway-parked position. When parking, the driver should properly block wheels or turn wheels toward the curb to prevent vehicle movement.

Accidents Due to Mechanical Failure

Any accident caused by mechanical failure that reasonably could have been detected by the driver, but went unheeded is *preventable*. It is the driver's responsibility to report possible mechanical failure and obtain repairs before operating the vehicle.

Sometimes, mechanical difficulties occur unexpected during a trip. Upon discovery, it is the driver's responsibility to check with the organization for emergency driving instructions. Failure to do so makes an accident *preventable*.

An accident caused by mechanical failure that results from abusive driving should be considered preventable.

Single Vehicle Accidents

Single vehicle accidents such as jackknifing, overturning, or running off the road should be reviewed carefully.

Such accidents may result from emergency action by the driver to prevent a collision. However, they also may result from speeding or other factors.

The accident review committee should evaluate the driver's actions prior to involvement for possible errors or lack of defensive driving.

Other Accidents

Accidents relating to projecting loads, loose objects falling from the vehicle, loose tarpaulins or chains, doors swinging open are often preventable. It is the driver's responsibility, for example, to secure loose objects. The driver must take all reasonable precautions to prevent damage to the vehicle, cargo, or other property-as well as injury to people.

Cargo damage resulting from unsafe vehicle operation is always *preventable*.

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The guidelines above describe frequent occurrences based on past opinions of the National Safety Council's Accident Review Committee. However, it is impossible to cover the thousands of ways a driver can prevent an accident. Usually, the driver could have taken defensive measure even when some other driver is legally found at fault.

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