



VEHICLE ACCIDENT CLASSIFICATIONS

All University vehicle accidents that involve injuries requiring medical treatment or property damage of \$500 or greater shall be reviewed by the University's Accident Review Board (ARB). These accidents shall be analyzed for root cause and classified as preventable or non-preventable. ARB recommendations will be forwarded to the Vice President for Administration and Campus Operations for review and approval.

The ARB should review all applicable information, including police reports, supplemental reports, incident reports, internal reports and statements, witness statements, etc. to make a proper determination. The ARB may include additional recommendations such as, but not limited to:

1. Remedial or refresher defensive driver training of vehicle operator.
2. Review and/or modification of driver training and tactics.
3. Modification or reevaluation of vehicle or other equipment selection.
4. Review or modification of applicable policies and procedures.
5. Evaluation of employees involved in the accident for vision defects, stress-related problems, or other conditions affecting fitness for duty.

Accident Determination

When determining accident preventability, the University has adopted guidelines established by the National Safety Council (NSC). These standards are established by the NSC and recognized nationally. The foundation of these standards is reasonableness; they should be interpreted based on how a reasonable driver would respond to a particular situation. Realizing the numerable accident types, possible scenarios, and ways a driver can prevent an accident; these standards should be used as a guide for determining accident preventability.

A preventable accident is one in which the driver fails to do everything that *reasonably* can be done to avoid an accident. In other words, if a driver committed errors and/or failed to react reasonably to the errors of others, an accident was preventable. Therefore, a preventable accident is "any accident involving a 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 a driver failed to exercise every reasonable precaution to prevent the accident."

A non-preventable accident is one in which the driver commits no errors and reacts reasonably to the errors of others, and observed applicable University policies, procedures, and training, including the use of appropriate defensive driving tactics.

Rule of thumb - The driver did everything reasonably possible to prevent/avoid the accident, but due to circumstances beyond their control was involved. If the driver is speeding, did not see the other vehicle, failed to yield right-of way, did not signal, etc., then the driver did not do everything reasonably possible to reduce the likelihood of incident.

ACCIDENT STANDARD GUIDELINES

Intersection Accidents

A defensive driver has the responsibility to approach, enter, and cross intersections prepared to avoid accidents that might occur because of the actions of other drivers. Actions of other drivers may include, but is not limited to, excess speeding, crossing a lane when turning, and coming from behind in 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 *non-preventable*.

The use of emergency equipment does not relieve emergency vehicle drivers from operating vehicles or entering and clearing intersections in a safe and prudent manner. Emergency operators should exercise extreme caution when entering intersections, attentive to the fact that not all citizens can see or hear their emergency equipment, and may not be cognizant of the emergency response mode.

Most intersection accidents are preventable even though the defensive driver did not violate traffic regulations. A driver's failure to take precautionary measures is a factor in making a preventable decision. Even though the actions of the other driver indicate possible accident involvement, a decision based on such entrapment should be prevented.

Examples of *preventable* intersection accidents include, but are not limited to:

- Driver failed to control speed so that they could stop within available sight distance.
- Driver failed to check cross-traffic and wait for it to clear before entering intersection.
- Driver pulled from a side street in front of oncoming traffic.
- Driver collided with person, vehicle, or object while making a turn.
- Driver collided with vehicle making turn in front of them.
- Driver entered intersection against traffic control device.
- Emergency vehicle driver entered intersection against traffic control device and did not ensure the intersection was clear.

Parking/Parked Accidents

Most accidents that occur while parking are preventable. A significant percentage of parking accidents occur when drivers misjudge clearance or fail to observe an object.

Accidents involving parked vehicles are generally non-preventable, if the vehicle is legally parked. Factors that indicate preventability include, but are not limited to: unconventional parking location, illegal parking, and failure to put out warning devices.

Under special conditions, emergency vehicles are authorized to park illegally or irregularly; however, reasonable judgment must be used to ensure public safety.

Examples of *non-preventable* parked/parking accidents include, but are not limited to:

- Vehicle parked in a legal location.
- Emergency vehicle using emergency warning devices, flares, triangles, etc. to secure public safety at a scene.

Backing Accidents

Backing accidents account for a significant portion of University accidents, yet practically all backing accidents are preventable. Realizing backing large vehicles or vehicles with limited visibility is difficult; drivers should utilize a guide or frequently physically check behind and around vehicle during a backing maneuver.

Examples of *preventable* backing accidents include but are not limited to:

- Driver backed into traffic stream when such backing could have been avoided.
- Driver failed to observe a person or object positioned behind or to the side of vehicle.
- Driver failed to exit vehicle and check proposed path of travel.
- Driver failed to recheck conditions when backing long distances.
- Driver depended on mirrors when it was practical to look back or use a guide.
- Driver failed to check behind parked vehicle before attempting to leave parking space.
- Driver backed when backing could have been avoided by better planning of route.
- Driver relied solely on guide to help back vehicle.
- Large vehicle driver did not sound horn to signal backing activity.

Front-End Accidents

Regardless of the abrupt or unexpected stop of a vehicle or vehicles ahead, a defensive driver can prevent front-end accidents by maintaining a safe following distance at all times. This includes being prepared for possible obstructions on the road, in plain view or hidden by hill, curve, or congestion.

Examples of *preventable* front-end accidents include but are not limited to:

- Driver failed to maintain safe following distance and have vehicle under control.
- Driver failed to keep alert to traffic conditions and not slow down.
- Driver failed to ascertain whether vehicle ahead was moving slowly, stopped, or slowing down for any reason.
- Driver misjudged rate of overtaking.
- Driver came too close before pulling out to pass.
- Driver failed to wait for vehicle ahead to move into the clear before starting up.
- Driver failed to leave sufficient room for passing vehicle to get safely back in the lane.

Rear-End Accidents

Investigation often discloses that drivers risk being struck from behind by failing to maintain a safe following distance. Rear-end accidents preceded by a roll-back, an abrupt stop, traffic signal changes, or when a driver fails to use turn signals, should be classified as *preventable*.

Examples of *non-preventable* rear-end accidents include, but are not limited to:

- Driver's vehicle was legally and properly parked.
- Driver was proceeding in own lane of traffic at a safe and lawful speed.
- Driver was stopped in traffic due to existing conditions or was stopped in compliance with traffic sign, signal, or at the direction of a police officer.
- Driver was in proper lane waiting to make a legal turn.

Examples of *preventable* rear-end accidents include, but are not limited to:

- Driver was passing slower traffic and had to make a sudden stop.
- Driver made a sudden stop to park, load, or unload.
- Vehicle was improperly parked.
- Driver rolled back into vehicle behind while starting or stopped.

Passing Accidents

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 this 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 is the passing driver's responsibility.

The use of emergency equipment does not relieve emergency vehicle drivers from passing vehicles in a safe and prudent manner. Emergency operators should exercise extreme caution when passing other vehicles. Emergency operators should be attentive to the fact that not all citizens see or hear their emergency equipment, and may not be cognizant of the emergency response.

Examples of *preventable* passing accidents include, but are not limited to:

- Driver passed where view was obstructed by hill, curve, vegetation, traffic, adverse weather conditions, etc.
- Driver attempted to pass in the face of closely approaching traffic.
- Driver failed to signal lane change.
- Driver pulled out in front of other traffic overtaking from rear.
- Driver cut-in short returning to lane.
- Driver attempted to pass illegally, e.g., no passing zone, on shoulder, etc.

Accidents while being Passed

Sideswipes and cut-offs are preventable when the defensive driver fails to yield to the passing vehicle. If the defensive driver fails to move to the right when possible, the accident is preventable.

Examples of *preventable* accidents while being passed include, but are not limited to:

- Driver failed to stay in lane and hold speed or reduce it to permit safe passing.

Lane Encroachment Accidents

Drivers frequently 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. Generally, in accidents involving lane encroachment, the driver failed to yield to the other driver.

Similarly, entrapment in merging traffic is an indication of willingness to yield to other vehicles or to wait for a break in traffic. Drivers must avoid squeeze plays causing accidents with parked vehicles, 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.

Examples of *preventable* lane encroachment accidents include, but are not limited to:

- Driver failed to yield right-of-way when necessary to avoid an accident.
- Driver was not entirely in own lane of travel.
- Driver did not pull to the right and/or slow down or stop for vehicle encroaching on the lane of travel, when such action could have been taken without additional danger.

Grade Crossing Accidents

Drivers are always responsible for preventing collisions with trains. The driver should be especially alert at grade crossings, rail yards and switching areas, as well as on private property. Drivers should never rely on traffic control devices, such as crossing signs, lights, or arms (cross-bucks) to warn of an approaching train. Drivers should never cross train tracks without first ensuring the maneuver can be made safely.

Examples of *preventable* accidents at grade crossings include, but are not limited to:

- Driver failed to check for trains before crossing tracks.
- Driver attempted to cross tracks directly ahead of a train.
- Driver ran into side of train.
- Driver stopped or parked on or too close to tracks.

Opposing Vehicle Accidents

Even though an opposing vehicle enters the driver's traffic lane, it may be possible for the driver to avoid the collision. A defensive driver observes the other driver's actions in advance and takes appropriate counter measures. In some cases, the accident is preventable when the opposing vehicle is in a passing maneuver, and the University driver failed to observe the maneuver and slow down, stop, or move to the right to allow the vehicle to re-enter its lane. Failure to signal the opposing driver by flicking the headlights or sounding the horn should also be taken into consideration.

Examples of *preventable* accidents involving opposing vehicles include, but are not limited to:

- Driver was not entirely in own lane of travel.
- Driver did not pull to the right and/or slow down or stop for vehicle encroaching on the lane of travel, when such action could have been taken without additional danger.
- Driver failed to observe other driver's maneuver in advance.

Turning Accidents

Turning movements, like passing maneuvers, require care on the part of a University driver. The driver making the turn is responsible for preventing squeeze plays on both left and right turns. The driver may be responsible regardless of whether the accident involved other vehicles, scooters, motorcycles, bicycles, or pedestrians. A U-turn that results in a collision is a preventable accident. Failure to properly position a vehicle for a turn, check the rearview mirror, or check pedestrian and traffic lanes is a sign of error.

Drivers sometimes feel that accidents caused by sudden turns by other drivers 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, University drivers should take immediate defensive action. Failure to take all appropriate defensive action indicates preventability.

(If applicable, see specific accident type category, i.e. intersection, front-end, rear-end, etc.)

Pedestrian Accidents

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. Defensive drivers must take precautions in areas where people are using bicycles, tricycles, scooters, skateboards, etc. People using such equipment are often the young, the elderly, or the inexperienced. The driver must adjust speed whether or not signs indicate lower speed limits or other warnings. This means slowing in school zones, shopping areas, residential streets, congested areas, and other areas with pedestrian traffic.

The driver who fails to reduce speed when bicycles, tricycles, scooters, skateboards, etc. are 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.

Examples of *preventable* pedestrian accidents include, but are not limited to:

- Driver did not reduce speed in area of heavy pedestrian traffic.
- Driver was not prepared to stop.
- Driver failed to yield right-of-way to pedestrian.

Inclement Weather Accidents

Adverse weather conditions are not an excuse for involvement in an accident. Rain, snow, fog, sleet, and ice 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.

Examples of *preventable* inclement weather accidents include, but are not limited to:

- Driver was not operating at a speed consistent with existing conditions of the road, weather, and/or traffic.

Fixed Object Accidents

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 pavement, new routes, or patrols, unusual delivery points, and inclined entrances to docks, etc. The driver must constantly be on the lookout for such conditions and make the necessary defensive driving allowances.

(If applicable, see specific accident type category, i.e. intersection, front-end, rear-end, etc.)

Mechanical Failure Accidents:

Any accident caused by mechanical failure that reasonably could have been detected by the driver, but went unheeded, is preventable.

Examples of *preventable* mechanical failure accidents include, but are not limited to:

- Defect was of a type which driver should have detected in making a pre-trip inspection or during normal operation of the vehicle.

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 taken by the driver to prevent a collision. However, they may also result from speeding or other factors. These accidents require evaluation of the driver's actions prior to involvement for possible errors or lack of defensive driving.

Examples of *preventable* single vehicle accidents include, but are not limited to:

- Driver was not operating at a speed consistent with the existing conditions of road, weather, or traffic.
- Driver failed to control speed so that they could stop within assured clear distance.
- Driver misjudged available clearance.
- Driver failed to yield right-of-way to avoid accident.

Other Accidents

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

(If applicable, see specific accident type category, i.e. intersection, front-end, rear-end, etc.)