

**CITY OF PORTSMOUTH**  
**ADMINISTRATIVE POLICY**

**SAFETY #1**

**NOVEMBER, 1998**

**SUBJECT:** Auto Safety Procedures

**PURPOSE:** This policy establishes the Auto Safety Review Committee. The Committee will administratively review accidents involving City employees while operating City-owned vehicles for the purpose of accident prevention and reduction. Recommendations will be made by the committee to department heads on the preventability and classification of accidents in accordance with the Employee Standards of Conduct, and the committee will strive to improve driver safety by making specific recommendations when necessary in the areas of education, job training, and vehicle and facility modification to reduce the frequency and severity of city vehicle accidents.

The Auto Safety Review Committee will be composed of the Chairperson, as designated by the City Manager, a ranking senior Police Officer, a ranking senior firefighter, a representative of Vehicle Services, and two at-large representatives.

All auto accidents shall be reported to the Auto Safety Review Committee, and the Committee will decide whether or not to review the accident. Accidents not reviewed by the committee will be reviewed by the department involved as the Department Head may direct.

**Motor Vehicle** - Any self propelled motorized equipment either owned or rented/leased by the city and operated by a city employee on or off the road.

**Motor Vehicle Accident** - Any unintentional damage or personal injury resulting from a collision between a motor vehicle and a fixed or moving vehicle, object, or person. For the purpose of this policy any collision resulting in no damage or injury (as determined by an appropriate supervisor) between two city vehicles or a city vehicle and a fixed object is not considered an accident. Any collision involving a non-city owned vehicle (civilian) or contact between a city vehicle and any pedestrian shall be considered an accident regardless of lack of damage or injury. Damage not caused by the operation or parking of the city vehicle is not considered an accident but damaged property.

**Preventable/Non-preventable** - A preventable accident is one that could have been avoided had reasonable precautions been taken. A non-preventable accident is one in which the operator took reasonable precautions; however, the accident occurred due to extenuating circumstances.

**Notifications** - 1. The Police Department will be called on all City Vehicle Accidents as defined above.

2. The Police Department will be responsible for taking accident scene photographs.

3. Vehicle Services will be notified when an accident occurs during normal working hours. After hours, only accidents involving Fire or Medic units require Vehicle Services notification.

**Drug Testing** - Any employee involved in an accident, as defined above, will be drug/alcohol tested (per city policy) regardless of fault. After being tested, the employee will resume normal duties absent reasonable suspicion of drug/alcohol impairment.

**Out of Town Accident Procedure** - Any accident with a city vehicle occurring out of the Hampton Roads area will still be reported to the local/state police within the jurisdiction of the accident. A copy of the report will be obtained by the employee involved in the accident. A phone call to one of the following Lab Corp. numbers will be made by the employee - 1(800)328-4787 or 1(800)800-4522, ext. 3998. Someone there will advise the employee of the Lab Corp. site nearest the accident scene where alcohol/drug test will be administered. All tests are to be administered within 2 hours following accident. It will be the responsibility of the Department Heads to furnish this policy and the necessary telephone numbers to employees prior to their traveling outside the Hampton Roads area.

**Discipline** - No disciplinary action will be taken by any department until the Safety Review Board determines whether or not an accident was preventable. Special circumstances, as determined by the department head, may dictate deviation from this standard when immediate action is necessary for accidents involving violation of the city's drug/alcohol policy or serious safety violations.

If an accident is determined to be preventable, the Auto Safety Review Committee will determine severity of the accidents in accordance with examples below. The totality of the circumstances will be considered by the committee when making a determination on an accident. This includes factors such as physical damage to vehicles and property, personal injury, compliance with traffic rules, emergency circumstances, and level of care used by the operator. The Department Heads will be responsible for determining discipline in accordance with standards of conduct.

The following are examples of accident severity:

Type 1 **Minor Accident**: Minor vehicle or property damage due to misjudgment or inattention.

Example: Colliding with fixed object while parking.

Type 2 **Intermediate Accident**: Significant vehicle or property damage and/or substantiated personal injury due to carelessness or disregard for safety.

Example: Accident resulting from disregarding a traffic sign/signal.

Type 3 **Major Accident**: A Major Accident involving unreasonable risk or intentional disregard for safety.

Example: Unjustified excessive speed resulting in a collision from loss of vehicle control.

### **RESPONSIBILITIES OF VEHICLE OPERATORS:**

1. Operators will have a valid driver's license, or CDL if required, in possession while operating City vehicle.
2. All city vehicle operators and passengers will wear a safety belt at all times.
3. Each operator is responsible for the physical appearance and general cleanliness of his or her vehicle.
4. Operators must physically inspect assigned vehicles before and after each work shift to check lights, horn, windshield wipers, brakes, tires, mirrors, and fluid levels. Any defect found will be reported to Vehicle Services; serious safety defects must be corrected prior to using the vehicle.
5. Vehicle operators will obey all traffic regulations and city and department policies concerning vehicle operation. Drivers will make every effort to ensure their vehicle is in safe operating condition and to drive defensively.
6. In the event of an accident, an operator will report the occurrence immediately to his or her supervisor and call for medical assistance if any party is injured. Police will be called to investigate the accident, and the operator must provide a written statement about how the accident occurred.
7. An operator who is summoned before the Auto Safety Review Committee will personally appear to give their verbal account of the occurrence and to answer any questions the committee has concerning the accident. The operator may bring witness(s) who have relevant information before the committee.
8. If an accident is determined to be preventable, the operator may ask for another review of the accident if additional information or witnesses come to light by making a written request to the Chairperson within seven (7) working days.

### **Responsibilities of Supervisors:**

1. Supervisors are to ensure that their personnel carry out assignments in accordance with this and other city and department policies.
2. In the event of an accident involving a subordinate, the supervisor will personally investigate the accident and have the employee drug/alcohol tested.
3. The supervisor must complete the Supervisor City Vehicle Accident Investigation Form and have the employee and all witnesses complete a City of Portsmouth Vehicle Accident Witness Statement. The supervisor must forward these forms, along with a completed Police City Vehicle Accident Investigation Form and Police Accident Report (available at Police Records) to the Chairperson of the Auto Safety Committee within five (5) working days with additional copies of all forms sent to the City Attorney and the Vehicle Services Center.
4. Every supervisor should be prepared to appear before the Auto Safety Review Committee if so requested for explanation and clarification of the facts of the accident and the opinion given in his or her report.
5. Supervisors will monitor for proper care and maintenance of department vehicles.
6. The Vehicle Services Center Manager can remove from operation at any time any vehicle with a suspected safety defect.

### **RESPONSIBILITIES OF DEPARTMENT HEADS:**

1. Department Heads will ensure that each vehicle operator is aware of the provisions contained within this policy and are responsible for enforcement of it within their departments.
2. The Department Head will implement a department safety program consistent with this policy.

### **If a Hearing is Required:**

1. The department and operator involved will be notified at least five (5) working days in advance.
2. Upon completion of its review, the Committee will have ten (10) working days to render a decision to the appropriate Department Head concerning the preventable and classification of the accident.
3. Upon receipt of the Committee's decision, the Department Head involved shall have ten (10) working days to take action on its findings.