

Helping to Ensure a Safe Driving Program

By Katie Stryker, CNA Assistant Vice President of Risk Control

Over the past few years, there has been a steady increase in the number of auto accidents and related fatalities due to risky driving behaviors.¹ This is a stark reminder to businesses on risks associated with not employing safe drivers. Review the steps below to help ensure you are managing your practice's auto risk.

Identify and Qualify Your Drivers

Have a company policy that makes it clear to all employees that they are responsible for driving safely during business-related travel. Furthermore, under your policy, it should be clear that anyone who drives a vehicle while conducting business is considered a driver, whether they drive a company-owned or personal vehicle and even if driving is not their sole responsibility or a regular job task.

To qualify drivers, as permitted by law, conduct a prior review of each individual's motor vehicle records (MVRs) outlining their driving history and record of violations. Ideally, these MVRs should be periodically reviewed throughout the term of employment to ensure that no new violations have occurred.

Recognize Unique Risks

Organizations must consider their unique operational activities when evaluating their auto risk, including whether they transport animals, customers, supplies, or hazardous waste. Accounting for these factors—in addition to planning the safest route—helps drivers prepare for conditions like poor weather, high traffic, and driving in remote areas.

Technology like GPS, navigation, cameras, and telematics systems have increased in sophistication over the past decade, and can help drivers determine

the safest route to their destination while limiting unsafe driving behaviors.

Educate Your Staff

Educate all employees who may drive for company-related purposes on the basic risks and responsibilities of driving. Individuals with a higher level of risk based on their driving tasks, such as transporting animals or utilizing trailers, should receive specific training centered on those exposures.

All individuals within an organization have a responsibility to drive safely when engaging in business-related travel. Following these steps will help establish a foundation from which your organization can continue to build a successful auto safety program. ■

Sources

1. <https://injuryfacts.nsc.org/motor-vehicle/overview/introduction/>
2. <https://www.iii.org/article/social-inflation-hard-to-measure-important-to-understand>
3. verisk.com/insurance/visualize/the-rise-of-nuclear-verdicts-and-how-to-rein-them-in/

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Trending Terms to Know

Juries may hold employers accountable when employees are involved in auto accidents. The awards paid to plaintiffs may increase when an employer is found to not adhere to basic auto safety elements. These terms will aid in understanding the importance of auto safety at your practice.

Social Inflation

Social inflation is a term that refers to the rising litigation costs to defend a claim.² While there are several contributing factors to social inflation, such as corporate distrust and juror sympathy towards plaintiff's claims, one key element is the drastic increase in "nuclear verdicts" awarded.

Nuclear Verdict

A Nuclear Verdict is a jury award that surpasses \$10 million. The period between 2010 to 2019 saw a 300% increase in verdicts of \$20 million or more when compared to prior years.³ Causes for such large award amounts are attributed to elements like corporate mistrust, litigation funding, and negligent entrustment.

Negligent Entrustment

When a company entrusts an individual to operate vehicles for company purposes, it has a responsibility to ensure that the individual is a qualified and responsible driver. When a company fails to adequately discharge this responsibility and an incident occurs, the company may be found to have negligently entrusted the individual, thereby providing leverage for plaintiffs to demand higher damages.

