

ACCIDENT REVIEW COMMITTEE

1. PURPOSE

The purpose of this guideline is to establish policies and procedures whereby City Fleet Unit accidents can be reviewed to determine driver accountability, preventability and ensure ongoing corrective and preventive measures.

2. POLICY

It is the policy of the City of Little Rock that the Accident Review Committee (comprised of City Department representatives) review all City Fleet Unit accidents and incidents for preventability; assess points towards a City employee's driving record, provide monthly reports regarding accidents and related costs and develop a City-wide awareness toward Fleet Unit accident prevention. Employees receiving a car allowance are not considered under this policy. If an employee is involved in an accident/incident in their personal vehicle while performing official City business, the City assumes no responsibility for damages to either party. Employees using their personal vehicle for City business are advised to carry adequate personal vehicle liability insurance as required under Arkansas law. *Management reserves the right to update this policy at any time with proper approval.*

3. DEFINITIONS

- A. **Accident Review Committee (ARC)** – A committee comprised of appointed City employees who review and determine the preventability of City Fleet Unit accidents.
- B. **Fleet Unit** – A City-owned, rented or leased vehicle or piece of equipment of a value of \$1,000 or greater that is motorized, self-propelled and/or attached to or pulled behind a self-propelled unit.
- C. **Fleet Unit Accident** – An occurrence of any kind, under any circumstances, where the City's Fleet Unit makes an impact with another vehicle or person on a street or highway or with a commercial or privately-owned object or property.
- D. **Fleet Unit Incident** - An occurrence where impact made by the City's Fleet Unit does not involve another vehicle or person; however, it may incur damage to a commercial or privately-owned object or property.
- E. **Preventable Accident** - An accident that could have been reasonably avoided by actions of the operator within operational guidelines.
- F. **Non-preventable Accident** – An accident that could not have been reasonably avoided by actions of the operator within operational guidelines.
- G. **Intentional Misuse** – Actions on the part of drivers or passengers of City-owned Fleet Units that violate City policy regarding conduct in City-owned facilities, property and equipment (i.e., defamation, destruction or careless disregard).
- H. **Vandalism** – An occurrence when damages are discovered on a City Fleet Unit that was committed by unknown sources.

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4. **RESPONSIBILITIES**

- A. Accident Review Committee is responsible for (but not limited to):
 - 1. Reviewing each Fleet Unit accident and determining the preventability of each accident and incident.
 - 2. Directing the assessment of an appropriate number of points for each accident and incident to be placed on the corresponding employee's City driving record.
 - 3. **Voting:**
 - a) The ARC shall consist of six (6) voting members from the following areas: Public Works- Street Operations, Public Works- Solid Waste Services, Police Department, Fire Department, Parks and Recreation Department and Housing and Neighborhood Programs Department. Voting members shall have been employed with the City for no less than two (2) years.
 - b) All decisions of the Committee shall require a minimum of four (4) votes for passage.
 - c) The Fleet Services' Department Director or a designee shall serve as chairperson in a non-voting role, except in cases of a tie vote.
 - d) A representative from the City Attorney's Office shall serve as an ex-officio member providing legal counsel to the Committee.
 - e) No member may vote on his/her accident/incident.
 - 4. **Term of Appointment** – Voting member appointments shall be made by the respective Department Directors. The Department Director has the right at any time during the appointment to change their representative.
 - 5. **Meetings** – The ARC shall meet once each month on an agreed upon time.
 - 6. **Attendance** – Members shall be responsible for attending all meetings. If a member fails to attend three (3) meetings in their term, the Committee may vote to request appointment of a new member by the appropriate Department Director.

- B. Fleet Services Department Director is responsible for (but not limited to):
 - 1. Serving as the Chairman of the Accident Review Committee
 - 2. Developing rules, which define the accident review procedures.
 - 3. Ensuring conformity of procedures outlined herein.
 - 4. Providing administrative support for the Committee.
 - 5. Sending a Letter of Committee Findings to the Operator through the respective Department Director along with copies to the Immediate Supervisor.

- C. City Employee (Operator) is responsible for (but not limited to):
 - 1. Practicing good, courteous defensive driving habits. All operators shall comply with the applicable local, state and federal traffic laws at all times by observing posted laws and regulations, speed traffic control signals and signs pertaining to the operation of motor vehicles on streets and highways. Employees engaged in authorized emergency responses must follow established departmental policies and procedures.
 - 2. Following the procedures for Fleet Unit Accident/Incident Reporting.

RESPONSIBILITIES (continued)

- D. Immediate Supervisor is responsible for (but not limited to):
1. Ensuring that the reporting of all accidents, regardless of severity, takes place within three (3) work days utilizing the following forms:
 - a) Arkansas Motor Vehicle Accident Report Form "SR-1" for reporting Fleet Unit accidents which resulted in damage to the property of any one individual in excess of \$1,000 or in bodily injury to or death of any one individual.
(Copies may be obtained from Fleet Services)
 - b) Supervisor's Investigation Report Form – Motor Vehicle Accident (CLR Form)
 - c) Vehicle Accident Report Form (City's Insurance Carrier's Form)
 - d) CLR Vehicle Accident-Incident Report Form (CLR Form)
 2. Ensuring that the forms listed above are in the City vehicle's glove compartment at all times.
 3. Immediately contacting the Human Resource's Safety and Loss Control Specialist (Risk Management Division) at 501-371-4756 or 501-246-2761 concerning Post Accident Alcohol/Drug Testing.
- E. City Department Director is responsible (but not limited to):
1. Appointing an employee committee member to the Committee as required.
 2. Ensuring that employees are notified of impending review.
 3. Sending notice of the effective begin and end date of the corrective measure to the ARC Chairman's designee (Fleet Asset Specialist) within fifteen (15) work days of receiving the Letter of Committee Findings.

5. PROCEDURES**A. FLEET UNIT ACCIDENT REPORTING**

In the event a City's Fleet Unit makes an impact with another vehicle or person on a street or highway or with a commercial or privately-owned object or property, the operator (and/or supervisor) shall take the following procedures:

1. Assist the other party if necessary. Assume no responsibility for the accident or damages.
2. Call the operator's Immediate Supervisor or someone in chain of command and Emergency (911) without moving their Fleet Unit.
3. Exchange insurance information contained on the Vehicle Accident Report Form with the other party while completing the form.
4. Submit to the City's Post Accident Alcohol/Drug Test Policy (Post accident drug screening). The supervisor will drive the employee to the drug testing facility. Administrative Personnel Manual, Section X, Drug and Alcohol Free Workplace Policy.
5. Take photos at the scene of the accident to be forwarded to the Fleet Asset Specialist.

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FLEET UNIT ACCIDENT REPORTING (continued)

6. **(Supervisor)** Contact staff at 501-918-4240 during normal business hours or **501-371-4423 after hours** for the Fleet Unit to be taken to Fleet Services immediately following the accident or incident for evaluation regardless of the severity.
7. **(Supervisor)** Report the accident to their Department Director or the designee within twenty-four (24) hours of the accident.
8. **(Supervisor)** Complete and/or ensure the following forms are sent to Fleet Services within three (3) work days:
 - Arkansas Motor Vehicle Accident Report Form “SR-1” – if applicable
 - Supervisor’s Investigation Report Form – Motor Vehicle Accident (CLR Form)
 - Vehicle Accident Report Form (City’s Insurance Carrier’s Form)
 - CLR Vehicle Accident-Incident Report Form (CLR Form)
 - Police Report

B. FLEET UNIT INCIDENT REPORTING

In the event a City’s Fleet Unit does not does not involve another vehicle or person; however, it incurs damage to a commercial or privately-owned object or property, the following procedures shall be taken:

1. The Fleet Unit operator is to call their Immediate Supervisor without moving their Fleet Unit. Upon their arrival, the supervisor is to evaluate both the operator and the Fleet Unit to determine:
 - If the operator should submit to the City’s Post Accident Alcohol/Drug Test Policy (Post accident drug screening). If so, the Supervisor will drive the employee to the drug testing facility. Administrative Personnel Manual, Section X, Drug and Alcohol Free Workplace Policy.
2. Contact staff at 501-918-4240 during normal business hours or **501-371-4423 after hours** for the Fleet Unit to be taken to Fleet Services immediately following the accident or incident for evaluation regardless of the severity.
3. The Supervisor should complete and/or ensure the following forms are sent to Fleet Services within three (3) work days:
 - Supervisor’s Investigation Report Form
 - CLR Vehicle Accident-Incident Report Form
4. Vandalism – A police report is required.

C. ACCIDENT REVIEW

Documentation shall consist of a completed Little Rock Police Report, (if required by Accident/Incident Reporting Section), a Supervisor’s Investigation Report and a Fleet Accident Repair Estimate Form (if applicable). Any questions regarding the accident and the Fleet Unit’s condition or performance related to maintenance actions will be forwarded to the Senior Fleet Manager for technical evaluation and findings prior to the Committee taking any formal actions.

D. ASSESSMENT OF POINTS

If an accident or incident is found to be preventable, the Committee is authorized by the City Manager to assess points to an employee's City driving record as follows:

1. Category A: Driving Violations

1. Driving while under the influence of alcohol or drugs:
 - Act in accordance with the City's policy on Drug and Alcohol Free Workplace.
2. Leaving scene of accident, hit and run or failure to report an accident. 6 points
3. Failure to properly document an accident. 1-4 points
4. All other driving violations to be determined by the Committee:
 - Minor Moving Violation 1-3 points
A Minor Moving Violation is a driving infraction that may or not take place on public thoroughfare and where the occurrence involves low impact and minor damage to other vehicles or property – for example: incidents that occur while parking or while in process of exiting an area, incidents involving rolling forward or backward and bumping another vehicle or property.
 - Major Moving Violation 4-5 points
A Major Moving Violation is a driving infraction associated with failure to observe or obey Major Traffic Laws - for example: Illegal lane change, failure to observe stop signs or signals, failure to observe posted speed signs. Driving in a careless and negligent manner that would be unsafe to other vehicles and pedestrians.

2. Category B: Vehicle Damages (City and/or Public)

1. \$0 - \$1,000.00 2 points
2. \$1,001.00 - \$2,500.00 3 points
3. \$2,501.00 - \$4,000.00 4 points

Each \$1,000 above \$4,000 will result in an additional point (not to exceed six (6) points total for this category)

3. Category C: Non-Driving Violations

1. Intentional misuse (by driver or passenger) to be determined by Committee:
 - Minor Non-Driving Violation 1-3 points
 - Major Non-Driving Violation 4-5 points

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E. CORRECTIVE ACTION

Corrective action shall take place using the following procedures:

1. Upon finding an accident/incident to be preventable, the Committee shall review the accident/incident to determine the category of the corrective action based on the operator's point accumulation.
2. The Fleet Services Department Director will send a Letter of Committee Findings to the operator through the respective Department Director along with copies to the Immediate Supervisor.
3. The Committee shall provide the Department Director with alternative corrective measures from which they shall charge to the employee in keeping with the interest of their departmental needs.

Alternative measures by category of points:

Only select one (1) alternative measure based on the accumulation of points.

1. Accumulation of **8** points:
 - a) Oral Reprimand and NEOGOV Learn Defensive Driving Course
2. Accumulation of **9 – 13** points:
 - a) Formal Written Reprimand and Insurance Carrier's Drivers Course
 - b) Five (5) day suspension
 - c) Ninety (90) days driving privileges revocation
3. Accumulation of **14 – 17** points:
 - a) 10 – 20 day suspension
 - b) One (1) year driver's privileges revocation
 - c) Demotion
4. Accumulation of **18 or more** points:
 - a) Thirty (30) day suspension and one (1) year driver's privileges revocation
 - b) Demotion
 - c) Termination

The Department Director will send a copy of the corrective measure (disciplinary action) to the Fleet Asset Specialist within fifteen (15) work days of receiving the Letter of Committee Findings.

It is not the purpose of the Committee to take the place of any internal Department disciplinary action.

All disciplinary recommendations of suspension, demotion or termination should first be forwarded by the Department Director to the Chief People Officer for vetting.

F. **POINTS: ACTIVE/REDUCTION**

Points shall remain active for eighteen (18) months during which time progressive corrective action per vehicle accident will occur. An employee's record will be considered clear after eighteen (18) months of accident-free driving.

G. **MONTHLY ACCIDENT REPORTS**

The Committee will provide a monthly report of all accidents to City Department Directors by driver, detailing costs, points assessed and corrective measures taken.

H. **COMMITTEE FINDINGS**

Upon completion of each Committee meeting, points will be assessed to each employee's driving record. An official letter shall be sent to employee through the Department Director notifying them of the assessment of points against their record. A copy of the letter shall be sent to the employee's supervisor.

I. **COMMITTEE FINDING APPEALS**

1. Findings are considered preliminary until 31-calendar days after the date of point assessment, after which the Committee findings become final and appeal requests will not be considered.
2. If an employee chooses to appeal the preliminary decision of the Committee, the operator involved in the accident may request an Appeal Hearing to the Director of Fleet Services. **The appeal request shall be written and the basis of the appeal stated.**
3. The operator may attend the Committee hearing with a spokesperson (if they choose) in order that they may question or refute the Committee's findings. Attendance will be at no loss of time or pay to the employee. Employees who are unable to appear before the Committee when scheduled must provide notification twenty-four (24) hours in advance through their Immediate Supervisor.
4. Should the operator choose to appeal the final decision of the ARC Chairman, the operator may request an Appeal Hearing to the City Manager within ten (10) work days after receiving the final decision. **The appeal request shall be written and the basis of the appeal stated.**

J. COMMUNICATION PLAN

1. This policy is published on the City's website under Fleet Services: Support Services and Human Resources: Helpful Documents (Procedure Guidelines).
2. Copies of all forms required to be sent to Fleet Services shall be placed in the City vehicle in the glove compartment. Replacement of those forms should be requested through the Fleet Asset Specialist (Email: Fleetwrecks@littlerock.gov).

K. TRAINING REQUIREMENT

1. Review of this policy shall be a required course under the City's NEOGOV Learn Program for all City employees.

L. IMPORTANT CONTACTS

1. Fleet Services: 501-918-4200
2. Fleet Services After-Hours: 501-993-5655
3. Fleet Service Advisor: 501-918-4240
4. Fleet Asset Specialist: 501-918-4207
5. HR Safety and Loss Control Specialist: 501-371-4756 or 501-246-2761
6. Communications (For after-hour concerns, i.e. wrecker service): 501-371-4423

Approved:



Bruce T. Moore, City Manager