



# Liability & Property Pool Workers' Compensation Fund

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## RISK CONTROL SOLUTIONS

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A Service of the Michigan Municipal League Liability and Property Pool and  
the Michigan Municipal League Workers' Compensation Fund

### REDUCING THE RISK OF MOTOR VEHICLE OPERATIONS Developing a Motor Vehicle Operations Policy

#### OVERVIEW

Use of motor vehicles is crucial to the operations of any public agency and has become an essential element in the delivery of most, if not all, services. Driving can account for a large portion of an employee's daily work schedule and the potential for loss is significant. Personal injury and property damage are most frequently the causes of loss. However, the negligent operation of motor vehicles represents one of the few general exceptions to governmental immunity, an exception that might expose a public agency to civil liability and increase the severity of losses.

#### RECOMMENDATIONS

Developing a sound motor vehicle operations program and policy is crucial to reducing your exposure to loss. A properly developed policy will guide the actions of all employees who operate vehicles as part of their jobs.

- ✓ **Form a risk control-safety committee** to review data and develop motor vehicle operations policies and programs (or add this function to your existing safety committee). This committee should:
  - Include representatives from each department.
  - Gather ideas, information, and expertise from both internal and external sources.
  - Have the authority to address identified risk exposures.
  - Review and investigate all motor vehicle related incidents or losses to determine:
    - If possible, the incident's root cause.
    - If the incident was preventable, and if so, how.
    - If misconduct or a violation of policies, procedures, or the law contributed to the accident.
    - If existing policies, procedures and training programs adequately address the cause of the incident, or if they need modification to address this particular category of loss.
    - If safety equipment, or the lack of it, was a factor.
  - Meet at least annually to review written policies, current training programs, updated loss information, and other materials. This review determines if the program
    - Is reaching its goals and objectives.
    - Continues to satisfy contemporary standards.
    - Complies with recent changes in the law or new federal mandates.
    - Requires modification to reflect current needs or servicing commitments.
- ✓ **Conduct a Loss Analysis**

The committee should:

  - Identify the specific nature of losses by department and for the agency as a whole.

- Evaluate how effective existing policies, procedures, operating practices, or programs have been in addressing actual losses.
- Inspect all the agency's locations to identify hazards that might affect the safe operations of vehicles at these sites.
- Inspect and evaluate existing safety and emergency equipment and analyze future needs.
- Develop a policy that requires the use of seat belts and other safety devices. The policy should prohibit the modification, removal, or disabling of installed or available safety devices.
- Develop a policy that addresses the serious risk that distracted driving (as a result of such activities as texting or other unsafe use of handheld electronic devices) poses to both employees and the general public.
- Prioritize actions and projects.
  - Address actual loss experience first.
  - Prioritize the review of other exposures common to public agency operations, and
  - Assess other categories in which the agency has not yet suffered a loss.
- Develop an integrated approach to controlling motor vehicle exposures that:
  - Contributes to the municipality's overall goals and objectives.
  - Addresses operational needs, such as emergency vehicle response, that are unique to specific departments.

✓ ***Policy Development and Implementation:***

The committee should develop a detailed motor vehicle policy.

- The policy should include the following elements:
  - Screening and hiring specifications for positions that require employees to operate motor vehicles as part of their overall job assignment;
  - Specific licensing requirements, based on job assignment;
  - Guidelines for vehicle use, including specific policy for the safe operation and maintenance of high-profile vehicles, such as 15-passenger vans;
  - Rider/passenger eligibility requirements (only employees and only when necessary to the job);
  - Occupant protection and passenger safety programs;
  - Requirements for vehicle maintenance, replacement, and inspection as well as documentation of these activities;
  - Accident review and analysis procedures;
  - Employee training requirements;
  - Program oversight responsibilities at all levels of the agency; and
  - Mandatory compliance with all applicable state laws or local ordinances.
- Although the policy should apply, for the most part, to all departments, it should:
  - Allow for modification for specific areas.
  - Allow for special operational requirements, such as emergency medical response or the operation of heavy equipment.
- The policy should include, if possible, a recognition or incentive program for drivers to promote morale and encourage conformance to departmental objectives and directives. Examples include:
  - uniform pins
  - certificates
  - notification of local media sources
  - an additional vacation day.

You can obtain copies of sample vehicle operations policies, both general and specific, by contacting the MML Risk Management Services Staff or the League's Loss Control Services.

This is one of four **Risk Control Solutions** that address Motor Vehicle Operations. Other titles are:

***Reducing Your Risk of Motor Vehicle Operations: A Management Brief  
Hiring and Training to Reduce Losses, and  
Inspection and Maintenance***



**Important Telephone Numbers**

MML Risk Management Services	734/662-3246 or 800/653-2483
Loss Control Services	800/482-2726

**Note:** This document is not intended to be legal advice. It does not identify all the issues surrounding the particular topic. Public agencies are encouraged to review their procedures with an expert or a competent attorney who is knowledgeable about the topic.