

Driver Management Essentials – ASSP, San Diego Chapter (March 9, 2021)

Presented by Bob Holmes, Sr. Transportation Specialist

TRAVELERS

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Objectives

- Statistics related to Auto
- Potential Exposures Marginal Hiring Practices
- Driver screening and selection Best Practices

Driver Screening and Selection



















COMPANY NAME:			STREET AL	DDRESS		
спу:		STATE:			ZIPCOD	E:
NAME:						
(First)	(Midd	kr)	(Maidea Nac	ne, if any)	(Last)	
ADDRESS:(Size	eet) (City)		(State & Zip	code)	HO	W LONG?
DATE OF BIRTH:		COCCUI	crosmyra.	TA INCO		
DATE OF BIRTIE				0.000		
		ADDRESS FOR	THE PAST 1	HREE YEARS		
(Street)	(City)		(State & Zir		HOW I	.ONG?
(Street)	(Cay)		(State & Zij			
(Street)	(City)		(State & Zip	code)	HOW I	.0NG?
				PACE IS REOU	nen.	
					ac.u,	
				ALIFICATIONS		
DRIVER	STATE	LICENS	ENO:	TYPE	E	PIRATION DATE
LICENSE						
		DRIVIN	GEXPERIE	NCE	т	
CLASS OF	TYPE OF	DATE	DATE FROM DATE TO		A 1	PPROX.NO.OF
EQUIPMENT	EQUIPMENT (VAN, TANK, FLAT, ETC.)					MILES (TOTAL)
STRAIGHT TRUCK TRACTOR AND						
SEMI-TRAILER					_	
TRACTOR-TWO TRAILERS						
OTHER						
ACCIDENT	RECORD FOR PAST 3	YEARS OR 2	ORE (ATT	ACH SHEET IF	MORE SP.	ACE IS NEEDED
DATES	NATURE OF	ACCIDENT	FA'	ALITIES		INJURIES
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LAST ACCIDENT	r	ared.				
NEXT PREVIOUS NEXT PREVIOUS						
DEAT PREVIOUS						
TRAFFIC CONVIC	TIONS AND FORFEI	TURES FOR T	HE PAST 3	YEARS (OTHER	THAN P.	ARKING VIOLA
LOCATIONS	I DA	TE	CH	ARGE		PENALTY
-	_					
	(ATTACH SI	HEET IF ADDIT	IONAL SPAC	E IS NECESSARY)	
A Have you	ever been denied a lie	ense nermite	r privilege !	o operate a moto	r vehicle?	Ves No
D. Has any lie	cense, permit or privil	and permit	vinnended	or revoked?	· · · · · · · · · · · · · · · · · · ·	Yes No

Host Used Online See Type STAN	CARD	Bill Code Kellerence Literate Name Address: Cay, St.		
Tex MALE Eyes BROWN Hep BLACK	Weight 187 fro. Height 5'00"	DOB: 3rs Date: 07-06/2013 Eng Date: 08/13/2020	Age 28	
Appress Year Lic. First Doore	d. 2007	STATUS	SEE BELOW	
Violations Convictions TYPE VER. CONV. AMA ILLEGERA IMPROVEM AMA INCLUSIVE INCLUSIVE	MOD AND NOT DESCRIPTION MOD SHAPE SHAPE S PARKETS MOD SHOPE SHOWN FAM. TO AMED	NATIONAL PARTY PROPERTY AND ADDRESS OF TAXABLE PARTY. TAXABLE PART	THESE PLATE ATTAILY SHEET WHINES	:
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Then and Now



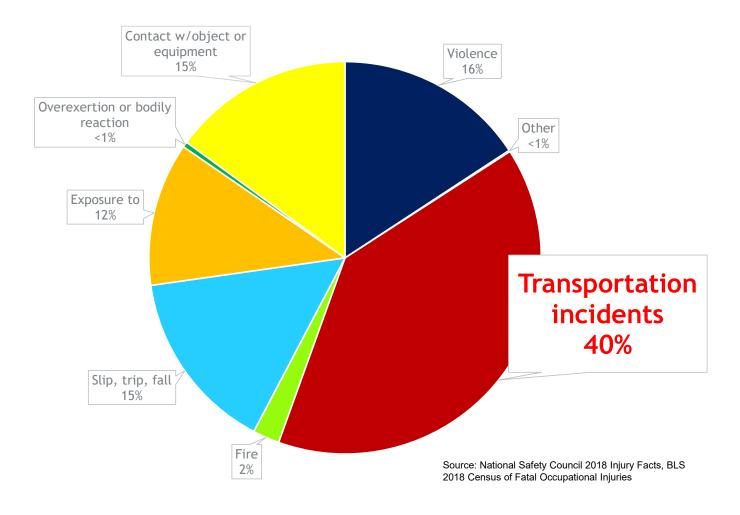


The Numbers



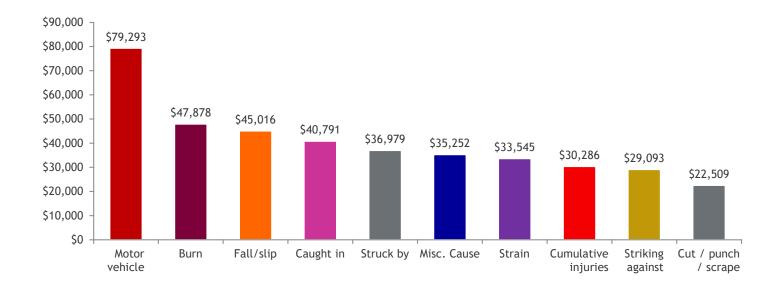


The Leading Cause of Work-Related Fatalities



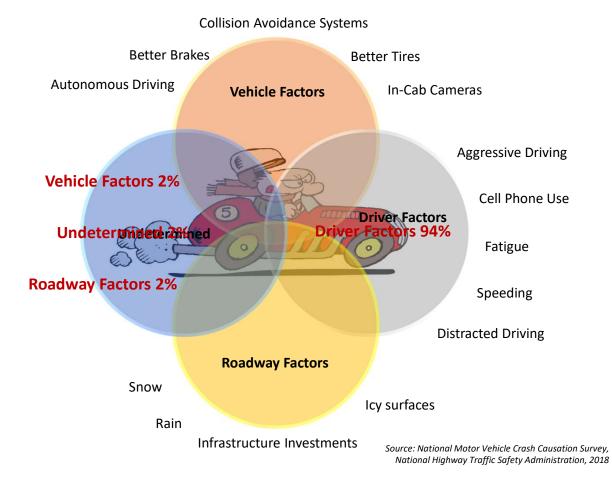


The Costliest Work-Related Injury Claim





Driver, Roadway, or Vehicle?





Driver Screening Process



Liability Exposures

Theories under which a company can be held liable to a third party for harm caused by its employees:

- Negligent Hiring
- Negligent Entrustment
- Respondeat Superior





Theory of Negligent Hiring

"The failure to use reasonable care in the employee selection process, resulting in harm caused to others."

Generally found when:

- Employee that caused injury had a record showing employee's inclination to abuse the kind of authority given by the employer
- Record would have been easily discoverable by employer, had a thorough search been conducted





Theory of Negligent Hiring Scenario

ABC Trucking has a new customer that wants the company to haul 10-15 loads per week, from Omaha to the southeast. ABC Trucking estimates it will need 6-8 new drivers

John replies to the company's online ad for experienced truck drivers.

John has 10 year's driving experience and the following record over the last 5 years:

- 3 speeding tickets (one for 15 mph over posted limit)
- 1 accident
- 4 employers during the past 3 years
- 1 conviction for fleeing the scene of an accident

What issues should ABC Trucking's safety manager be thinking about when considering John's application and driving record?



Why Driver Screening and Selection is Important





Formal Hiring Qualifications

- Identify the traits of your safest drivers
 - Knowledge, skills, personality, work history, etc.
- Establish formal minimum driver hiring standards
 - Experience
 - Driving record
 - Safety record
 - Specific licensing requirements
- Consult with legal counsel to ensure compliance with labor laws and employment practices



Driving Skills Evaluation (Road Test)

- Always road test, prior to offer for hire
- Ensure adequate length and variety of driving situations
- Be consistent, using the same course, always
- Look for signs of risk taking behavior
- Keep documentation
- Provide targeted training, addressing recognized unwanted behaviors



APPLICATION FOR EMPLOYMENT

COMPANY _	ABC Trucking	STREET	ADDRESS 123 Elm	Ave
CITY, STATE	AND ZIP CODE A	nytown, USA, 12345)	
NAME JO	e Black			
	(FIRST)	(MIDDLE)	(Maiden Name, if any)	(LAST)
PESS	<u> </u>	t Way, Other Town, 0		HOW LONG? 4 MO.
	(STREET)	(CITY)	(STATE & ZIP CODE)	
DATE OF BIR	н <u>11/21/2000</u>	SOCIAL SECURITY NO.	123-45-6789	HIRE DATE 07/06/2017
TELEPHONE	NUMBER (916)55	5-1212 _{E-}	MAIL ADDRESS <u>myema</u>	ail@email.com
		PREVIOUS THREE YEA	RS RESIDENCY	
121 My V	Vay, Whatever, 0	OK 84000		# YEARS 5 MO.
(STREET)		(CITY)	(STATE & ZIP CODE)	CO COME INC. COMMENCE
845 Any \	Way, Cowtown,	TX 56789		# YEARS 1 Yr.
(STREET)		(CITY)	(STATE & ZIP CODE)	
120 Maria	?′	??????	10 THE STATE OF TH	# YEARS ????
(STREET)		(CITY)	(STATE & ZIP CODE)	
	(ATTACH SHEET IF MORE	SPACE IS NEEDED)	



LICENSE INFORMATION

Section 383.21 FMCSR states "No person who operates a commercial motor vehicle shall at any time have more than one driver's license". I certify that I do not have more than one motor vehicle license, the information for which is listed below.

STATE	LICENSE NO.	TYPE	EXPIRATION DATE
California	N9876543	Class A	09/12/2017

DRIVING EXPERIENCE

CLASS OF EQUIPMENT	TYPE OF EQUIPMENT (VAN, TANK, FLAT, ETC.)	DATES TO	APPROX. NO. OF MILES (TOTAL)
STRAIGHT TRUCK	Bobtail	09/14 to 05/15	8,000
TRACTOR AND SEMI-TRAILER	Flatbed	12/15 to 04/16	100,000
TRACTOR - TWO TRAILERS			
OTHER			



er Bender	R TU AST	3 YEARS (OTHI	Three C	YES YES VIOLATION	NO NO NO
VI CAN		and the same than	1 10 100	YES VIOLATION	NO
VI CAN		and the same than	1 10 100	VIOLATION	MARIE:
VI CAN		and the same than	1 10 100	aran was	NS)
ION	STATE OF	VIOLATION	DE	NAI TV	
		ATION	(forfeited bond, co		or point
peed	Califo	rnia	4 Points \$5,200		
r	Neva	ıda			
		SALE CONTRACTOR OF THE PROPERTY OF THE PROPERT	le? YES	NO <u>*</u>	
r	TTACH SHEET permit or privi	Neva	California Nevada TTACH SHEET IF MORE SPACE IS NEEDED)	Nevada \$5,20 TTACH SHEET IF MORE SPACE IS NEEDED) permit or privilege to operate a motor vehicle? YES	Nevada \$5,200 TTACH SHEET IF MORE SPACE IS NEEDED) permit or privilege to operate a motor vehicle? YES NO



If none, write "NONE"

DATES	NATURE OF ACCIDENT (HEAD-ON, REAR-END, UPSET, ETC.)	NUMBER FATALITIES	NUMBER INJURIES	1,011	MICAL ILLS
	??????			YES	NO
	"Check with DMV"			YES	NO
				YES	NO

These are all **RED FLAGS** that should be considered!

TRAFFIC CONVICTION	NO AND PORPETIONES	TOR THE PAST S TEARS (OTT	EN ITIAN FARRING VIOLATIONS)
DATE CONVICTED (month/year)	VIOLATION	STATE OF VIOLATION LOCATION	PENALTY (forfeited bond, collateral and/or points)
	None		
		FET IF MODE OR LOS IS MEEDED!	

A. Have you ever been denied a license, permit or privilege to operate a motor vehicle?	YES		NO _	
If yes, explain				
B. Has any license, permit or privilege ever been suspended or revoked?	YES	<u>*</u>	NO	
If yes, explain				



Employment Application

EMPLOYMENT RECORD (ATTACH SHEET IF MORE SPACE IS NEEDED)

Applicants that desire to drive in intrastate/interstate commerce must provide the following information on all employers during the previous three years. You must give the same information for all employers you have driven a commercial motor vehicle for the seven years prior to the initial three years (total of ten years employment record).

Must list the complete mailing address: street number and name, state and zip code.

LAST EMPLOYER: NAME XYZ Trucking
ADDRESS 111 Walnut, Anytown CA HONE
POSITION HELD Driver FROM 12/15 TO 04/16 SALARY \$150,000
REASONS FOR LEAVING Personal
ANY GAPS IN EMPLOYMENT AND/OR UNEMPLOYMENT MUST BE EXPLAINED. INCLUDE DATES (MONTH/YEAR) AND REASON.
Were you subject to the Federal Motor Carrier Safety Regulations (FMCSRs) while employed by the previous employer Yes No
Was the previous job position designated as a safety sensitive function in any DOT regulated mode, subject to alcohol as substances testing requirements as required by 49 CFR Part 40?
SECOND LAST EMPLOYER: NAME By Far the Best Trucking Company
ADDRESS 333 High Mtn Road, County, OK PHONE Service Pages
Driver/Warehouse FROM 01/15 to 05/15 SALARY \$12.50 hr
REASONS FOR LEAVING Better Opportunity
ANY GAPS IN EMPLOYMENT AND/OR UNEMPLOYMENT MUST BE EXPLAINED. INCLUDE DATES (MONTH/YEAR) AND REASON No work available.
Were you subject to the Federal Motor Carrier Safety Regulations (FMCSRs) while employed by the previous employer? Yes No
Was the previous job position designated as a safety sensitive function in any DOT regulated tode, subject to alcohol and controlled substances testing requirements as required by 49 CFR Part 40? Yes No
THIRD LAST EMPLOYER: NAME Always on Time
ADDRESS 555 Wide Open Spaces, Hill TX PHONE
POSITION HEAD OTR Driver/Forklift FROM 2013 TO 2014 SALARY \$10.00 hr.
REASONS FOR LEAVING Management had bad attitude
ANY GAPS IN EMPLOYMENT AND/OR UNEMPLOYMENT MUST BE EXPLAINED. INCLUDE DATES (MONTH/YEAR) AND REASON.
Were you subject to the Federal Motor Carrier Safety Regulations (FMCSRs) while employed by the previous employed? Yes No
Was the previous job position designated as a safety sensitive function in any DOT regulated mode, subject to alcohol and controlled



TO BE READ AND SIGNED BY APPLICANT

I authorize you to make sure investigations and inquiries to my personal, employment, financial or medical history and other related matters as may be necessary in arriving at an employment decision. (Generally, inquiries regarding medical history will be made only if and after a conditional offer of employment has been extended.) I hereby release employers, schools, health care providers and other persons from all liability in responding to inquiries and releasing information in connection with my application.

In the event of employment, I understand that false or misleading information given in my application or interview(s) may result in discharge. I understand, also, that I am required to abide by all rules and regulations of the Company.

"I understand that information I provide regarding current and/or previous employers may be used, and those employer(s) will be contacted, for the purpose of investigating my safety performance history as required by 49 CFR 391.23(d) and (e). I understand that I have the right to:

- Review information provided by current/previous employers;
- Have errors in the information corrected by previous employers and for those previous employers to re-send the corrected information to the prospective employer; and
- Have a rebuttal statement attached to the alleged erroneous information, if the previous employer(s) and I cannot agree on the
 accuracy of the information.*

07/04/2017	Joe Black		
DATE	APPLICANT'S SIGNATURE		
This certifies that I completed this application, and that all en knowledge.	ntries on it and information in it are true and complete to the best of my		
DATE	APPLICANT'S SIGNATURE		

Note: A motor carrier may require an applicant to provide information in addition to the information required by the Federal Motor Carrier Safety Regulations.



Example:

Based on a review of one driver qualification file for a driver involved in a TRAV account's largest loss to date, the following was noted:

- Driver held four jobs in the past 2.5 years, eight jobs in the past 5.5 years, and 20 jobs in the past 14 years.
- Unexplained gaps of employment between 10 of the 20 employers.
- No information presented related to previous accidents or moving violations (DOT requirement.)
- Reasons for leaving previous employers noted the following:
 - "Need a change" (4 employers)
 - "Personal" (2 employers)
 - Left blank (2 employers)
 - Other (remainder)
- One week after being hired, in June 2016, this driver was subsequently involved in a Loss of Control (fell asleep) accident, striking a bridge. He was subsequently terminated.



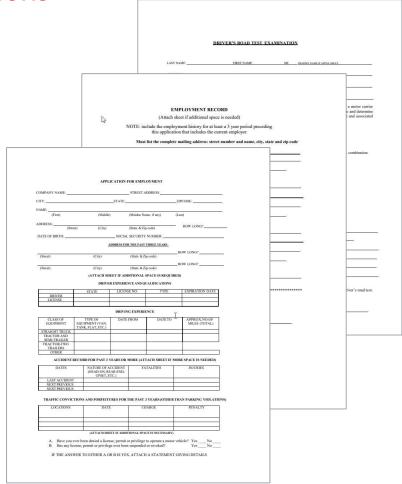
Applications

Best Practices

- Accurate previous employer contact information
- Specifics about types of vehicles operated and miles driven
- Dates of employment, including months
- Details related to gaps in employment
- Reasons for leaving previous employers
- Driving history

Additional Considerations:

- If multiple positions held, verify the amount of actual driving
- Have applicant complete the application on-site





Motor Vehicle Records (MVRs)



Who Are Your Drivers?











Anyone working on behalf of your organization who drives a company-owned vehicle, a rented vehicle or a personal vehicle



Motor Vehicle Records - Why Do You Need Them?

The past is the best predictor of the future



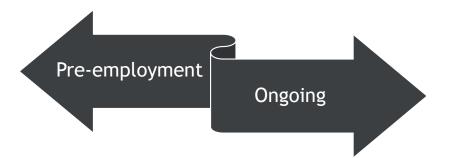
A record of moving violations and accidents has been linked to an increased crash risk



Poor driving history may pose an increased risk for your organization



Motor Vehicle Records - When Do You Get Them?





Motor Vehicle Records







Violations

MAJOR violations generally include:

- Leaving the scene of an accident
- Driving under the influence of drugs or alcohol
- Excessive speed (>20 mph over the posted speed)
- Reckless, negligent or careless driving
- Felony, homicide or manslaughter involving the use of a motor vehicle
- License suspension or revocation resulting from accidents or moving violations

MINOR violations generally include:

- Speeding (<20 mph over the posted speed)
- Failure to obey sign
- Failure to yield
- Illegal turn

NON-MOVING violations generally include:

- Parking tickets
- Motor vehicle equipment violations
- Failure to have a valid operator's license available where one actually exists

(Non-moving violations are typically not included when evaluating MVRs)



You are interviewing for a new manager. You are going to fill this position internally and have three candidates for consideration. This position oversees 100 people, located in multiple sites throughout the region. As daily travel between sites is expected, this employee will be provided with a company vehicle.

Review the available information along with Motor Vehicle Records (MVRs) and discuss which you believe to be the best candidate for the position and why.

MATTHEW SMITH Tenure: 7 years

Current Position: 3 years in a supervisory

role

Education: Recent MBA

Age: 30

Qualities: Good performance reviews, eager for the role, provides a new perspective on managerial role

JOHN RIVERS

Tenure: 15 years

<u>Current Position</u>: 8 years in multiple supervisory roles with increasing responsibilities throughout that time

Education: Bachelor's degree - Business

Age: 43

<u>Qualities</u>: Excellent performance reviews,

suggested for the role by VP

JESSICA JONES
Tenure: 8 years

<u>Current Position</u>: 5 years in supervisory

role

<u>Education</u>: Bachelor's degree - Fine Arts

<u>Age</u>: 36

<u>Qualities</u>: Good performance reviews, has been taking on some internal managerial responsibilities as your company looks for new manager



MATTHEW SMITH

Tenure: 7 years

Current Position: 3 years in a

supervisory role

Education: Recent MBA

Age: 30

<u>Qualities</u>: Good performance reviews, eager for the role, provides a new perspective on managerial role

MVR Report for Matthew Smith

 SMITH, MATTHEW
 Record Date :
 06/26/2020

 123 ELM STREET, ANYTOWN USA
 Request Date :
 06/27/2020

Driver License Information

 Class
 Issued
 Expires
 Status
 Restrictions

 C
 10/14/18
 10/14/23
 VALID
 NONE

Miscellaneous and State Specific Information

ORDERED AS: 123456789

ORIGINAL ISSUE DATE: 09/06/2005

Driving Record History

Type	Violations/	Conv/Rei	Description	Code	Points
	Suspensions				
CONV	10/14/2010	04/19/2011	DRIV W/BAC GREATER THAN LEGAL LIMIT	09090	5

JESSICA JONES

Tenure: 8 years

Current Position: 5 years in

supervisory role

Education: Bachelor's degree -

Fine Arts

Age: 36

Qualities: Good performance reviews, has been taking on some internal managerial responsibilities as your company looks for new manager

MVR Report for Jessica Jones

JONES, JESSICA

80 ALLIANCE WAY, ANYTOWN USA

Request Date : 05/01/2020

05/01/2020

Record Date:

Hair:

License: 001001001 Height: Account: 987654321 Weight: -

Social Security: - Eyes: -

Date of Birth: 06/22/1984

Driver License Information

Class	Issued	Expires	Status	Restrictions
С	06/01/18	06/22/23	VALID	CORRECTIVE LENSES

Miscellaneous and State Specific Information

ORDERED AS: 001001001

ORIGINAL ISSUE DATE: 07/01/2002

Driving Record History

Conv/Rei	Description	Code	Points
	ODEED IN ZONE AZEIGE	CEO EE	
03/19/2020		659 FF	4
09/17/2019			
	LOC: NEW REPUBLIC		
	PENALTY: FINE- \$50		
	COMM VEH: NO HAZMAT: NO		
	LITTERING, GENERALLY	5884 S	
	Conv/Rei s 03/19/2020 09/17/2019	03/19/2020 SPEED IN ZONE 075/055 LOC: CORUSCANT PENALTY: FINE- \$250 COMM VEH: NO HAZMAT: NO 09/17/2019 LITTERING LOC: NEW REPUBLIC PENALTY: FINE- \$50 COMM VEH: NO HAZMAT: NO	03/19/2020 SPEED IN ZONE 075/055 659 FF LOC: CORUSCANT PENALTY: FINE- \$250 COMM VEH: NO HAZMAT: NO 09/17/2019 LITTERING LOC: NEW REPUBLIC PENALTY: FINE- \$50 COMM VEH: NO HAZMAT: NO

JOHN RIVERS

Tenure: 15 years

<u>Current Position</u>: 8 years in multiple supervisory roles with increasing responsibilities throughout that time

<u>Education</u>: Bachelor's degree - Business

Age: 43

<u>Qualities</u>: Excellent performance reviews, suggested for the role by VP

MVR Report for John Rivers

 RIVERS, JOHN
 Record Date :
 05/01/2020

 6504 FALCON WAY, ANYTOWN USA
 Request Date :
 05/01/2020

 License:
 121212121
 Height:

 Account:
 321456789
 Weight:

 Social Security:
 Eyes:

 Date of Birth:
 03/25/1977
 Hair:

Gender: -

Driver License Information

 Class
 Issued
 Expires
 Status
 Restrictions

 C
 08/02/2018
 08/02/2023
 VALID
 CORRECTIVE LENSES

Miscellaneous and State Specific Information

ORDERED AS: 121212121

ORIGINAL ISSUE DATE: 03/26/93

ACCIDENT PREVENTION COURSE COMPLETED ON: 06/09/2019

Driving Record History

Type	Violations/	Conv/Rei	Description	Code	Points
	Suspensions				
CONV	05/30/2019	06/05/2019	SPEED IN ZONE 041/025	659GG	4
			LOC: CORELLIA		
			PENALTY: FINE- \$200		
			COMM VEH: NO HAZMAT: NO		
CONV	11/13/2018	11/20/2018	OP MV - MOBILE PHONE	5044 M	3
			LOC: CLOUD CITY		
			PENALTY: FINE- \$250		
			COMM VEH: NO HAZMAT: NO		
ACCI	01/18/2016		PERSONAL INJURY		5
			COUNTY: CORELLIA		
			CASE #: 17-052217		
			POLICE REPORT FILED		
			SPEED 16-20 OVER LIMIT IN A 25 ZONE	659 GG	
			DROVE IN PROH AREA	18211A	
			ILLEGAL CELL/MOBILE PHONE, GENERALLY	5049 F	
			INJURY ACCIDENT INVOLVEMENT	2307144	

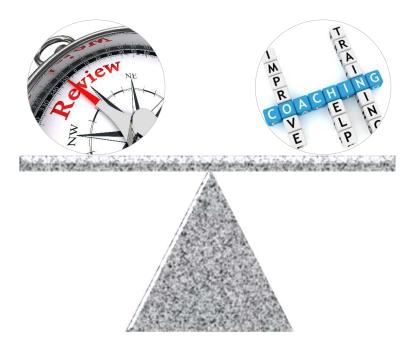
What Can You Do?

Motor vehicle record (MVR) review

MINOR	PREVENTABLE ACCIDENTS (Past 3 years)				
MOVING VIOLATIONS (Past 3 years)	0	1	2	3+	
0	CLEAR	ACCEPTABLE	BORDERLINE	POOR	
1	ACCEPTABLE	ACCEPTABLE	BORDERLINE	POOR	
2	ACCEPTABLE	BORDERLINE	POOR	POOR	
3	BORDERLINE	POOR	POOR	POOR	
4+	POOR	POOR	POOR	POOR	
ANY MAJOR Violations (Past 5 years)	POOR	POOR	POOR	POOR	

THIS IS AN EXAMPLE. YOU SHOULD CUSTOMIZE CONTROLS TO MEET YOUR ORGANIZATION'S NEEDS AND EXPOSURES.

Motor Vehicle Records





Conclusion

- Establish formal screening and selection procedures
- Adhere to these policies
- Document efforts to screen, select drivers and comply with DOT requirements
- Be diligent and consistent



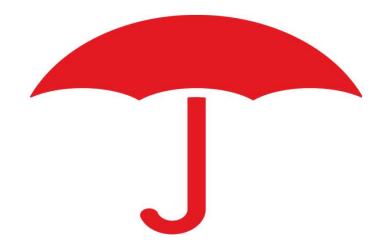


The effort you put into screening and selecting drivers can pay for itself many times over by helping you avoid driver turnover









Thank You

FROM RISK CONTROL

