



# **FLEET MANAGEMENT POLICY**

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## I. MOTOR VEHICLE SAFETY POLICY

### 1. Policy

Many employees operate vehicles owned, leased, or rented by the Philadelphia Housing Development Corporation ("PHDC"), Philadelphia Redevelopment Authority ("PRA"), or the Philadelphia Land Bank ("PLB") (each, a "Company Vehicle", collectively, "Company Vehicles"), or their personal vehicles as part of their jobs. Employees are expected to operate vehicles safely to prevent accidents which may result in injuries and property loss. It is the policy of PHDC to provide and maintain a safe working environment to protect our employees and the citizens of the communities where we conduct business from injury and property loss. PHDC considers the use of vehicles part of the working environment. PHDC is committed to promoting a heightened level of safety awareness and responsible driving behavior in its employees. Our efforts and the commitment of employees will prevent vehicle accidents and reduce personal injury and property loss claims. This Motor Vehicle Safety Program ("Program") requires the full cooperation of each driver to operate their respective vehicles safely and to adhere to the responsibilities outlined in this Program. Elements of this Program include:

- Assigning responsibilities at all levels of employment.
- Vehicle use and insurance requirements.
- Accident reporting and investigation.
- Vehicle selection and maintenance.
- Training standards.
- Safety regulations.

### 2. Responsibility

Management is responsible for successful implementation and on-going execution of this Program. Directors and employees are responsible for meeting and maintaining the standards set forth in this Program.

### 3. Scope

This Program applies to employees who operate vehicles on PHDC, PRA, and PLB business and will be reviewed by Senior Management and Directors to ensure full implementation and compliance.

## **II. ORGANIZATION AND RESPONSIBILITIES**

1. Management will:
  - A. Implement the Program in their areas of responsibility.
  - B. Ensure compliance with the Program.
  - C. Provide assistance and the resources necessary to implement and maintain the Program.
2. Directors will:
  - A. Investigate and report all accidents involving a motor vehicle used in performing PHDC, PRA, or PLB business. Forward all accident reports to the Legal Director.
  - B. Be responsible for taking appropriate action to manage high-risk drivers as defined by this Program.
3. Legal Department will:
  - A. Review motor vehicle accident reports.
  - B. Revise and distribute changes to the Program to Senior Management, Directors and drivers as necessary.
  - C. Maintain appropriate records.
4. Drivers will:
  - A. Always operate a motor vehicle in a safe manner as explained under the section titled, "Driver Safety Regulations."
  - B. Maintain a current and valid Pennsylvania driver's license.
  - C. Maintain assigned Company Vehicles and report maintenance issues.

### III. VEHICLE USE

#### 1. Company Vehicles

##### A. Passenger Cars

Employees authorized by their Directors will be permitted to operate a passenger car. When the Company Vehicle is driven, only the employee will be permitted to operate the Company Vehicle. Only PHDC employees are permitted in the Company Vehicle as passengers unless the non-PHDC employee will be in the Company Vehicle for a PHDC, PRA, or PLB work-related purpose.

##### B. Commercial Vans and Trucks

Employees with appropriate commercial driver's license (if required by Pennsylvania), authorization from their Director, and qualified by State and Federal Department of Transportation ("DOT") when applicable, will be permitted to operate this type of Company Vehicle.

C. Employees may only drive a Company Vehicle home with the permission of the President and CEO. If an employee is permitted to drive a Company Vehicle home, the employee is only permitted to use the Company Vehicle to drive to and from the employee's home to the PHDC office or a PHDC, PRA, or PLB work-related site. **The PHDC employee authorized to drive the Company Vehicle home will be responsible for paying for any damage to the Company Vehicle due to any unauthorized use of the Company Vehicle.**

#### 2. Personal Vehicles on PHDC, PRA, or PLB Business

A. Employees are not permitted to use their personal vehicles on PHDC, PRA, or PLB business.

#### 3. Rental Vehicles

A. Rental vehicles will be leased from approved vendors.

#### 4. Unauthorized Use of Vehicles

Only PHDC employees who have been authorized by PHDC's human resources department ("Authorized Operators") may operate a Company Vehicle. **Company Vehicles may not be used for personal use for any reason.**

Authorized Operators will not allow an unauthorized individual to operate a Company Vehicle. No exceptions! **Additionally, if unauthorized use results in an accident, the Authorized Operator/responsible employee will be required to make restitution for the damages.**

5. Temporary Hire Employees

Temporary employees will be treated as PHDC employees and will comply with the requirements of this Program. Failure to meet all requirements may result in the immediate loss of driving privileges and/or employment.

## IV. DRIVER SELECTION

### 1. Driver Evaluation:

Employees will be evaluated and selected based on their driving ability. To evaluate employees as drivers, Management will:

- A. Ensure the employee has a current and valid Pennsylvania driver's license.
- B. Ensure the employee is qualified to operate the type of vehicle s/he will drive.

### 2. Driver Qualification:

Effective driver qualification controls are important elements of a successful motor vehicle safety program. Management developed and incorporated standards into this Program, which reflect the skills necessary for satisfactory job performance while taking into consideration applicable Federal and State regulations.

A. PHDC has implemented three levels of driver qualification criteria. Use of any or all of these criteria is dependent upon the nature and scope of the driving requirements.

- 1. State-regulated driver qualification parameters must be met.
- 2. Where applicable, drivers will comply with DOT Commercial Driver License (CDL) regulations.

B. A driver may be unacceptable if the driver's accident/violation history includes one or more of the following moving violation convictions:

- 1. Driving under the influence of alcohol or drugs (DUI).
- 2. Hit and run.
- 3. Failure to report an accident.
- 4. Negligent homicide arising out of the use of a motor vehicle.
- 5. Operating during a period of suspension or revocation.
- 6. Using a motor vehicle for the commission of a felony.
- 7. Operating a motor vehicle without the owner's authority.
- 8. Permitting an unlicensed person to drive.
- 9. Reckless driving.
- 10. Speeding (Three or more in a 3-year period).
- 11. Two preventable accidents in a 12 month period.

C. Drivers who are identified as high-risk or in violation of this Program may be subject to actions from Management including, but not limited to:

- 1. Driver may have his/her driving privileges suspended or revoked.
- 2. Driver will be responsible for paying any fines or costs assessed for any parking and/or moving violations that s/he receives while on PHDC, PRA, or PLB business or driving a Company Vehicle.
- 3. Driver's employment may be terminated with PHDC.

## V. ACCIDENT RECORDKEEPING, REPORTING AND ANALYSIS

1. Elimination of motor vehicle accidents is a major goal of PHDC. To meet this goal, all accidents will be reported to Management, investigated, documented and reviewed.
2. Motor vehicle accident recordkeeping consists of documentation of causes, corrective action and Management review to expedite corrective action.
3. Responsibility – Both the driver and Management have responsibilities after an accident.

### A. Driver

Since the driver is the first person at the accident scene, s/he will initiate the information-gathering process as quickly and thoroughly as is feasible.

### B. Management

Management will obtain accident data from the driver through the Accident Report form and/or by verbal communication. It is important for Management to determine the extent of the accident, especially if it involves injuries or death(s).

Management will immediately proceed with an investigation to determine the underlying causes as well as what can be done to prevent similar occurrences. The accident report will be forwarded to the Legal Director along with any additional supporting data (e.g., witness statements, photographs, police reports, etc.).

## 4. Preventable/Non-Preventable Accidents<sup>1</sup>

The following definitions relate to motor vehicle accidents:

- A. A motor vehicle accident is defined as "any occurrence involving a motor vehicle which results in death, injury or property damage, unless such vehicle is properly parked.<sup>2</sup> Who was injured, what property was damaged and to what extent, where the accident occurred, or who was responsible, are not relative factors."
- B. A preventable accident<sup>3</sup> is defined as "any accident involving the vehicle, unless properly parked, which results in property damage or personal injury and in which the driver failed to do everything s/he reasonably could have done to prevent or avoid the accident."

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<sup>1</sup> See attached "Guide For Preventable and Non-preventable Accidents" in Appendix.

<sup>2</sup> A properly parked motor vehicle is one that is completely stopped and parked where it is legal and prudent to park such a vehicle or to stop to load/unload property. Vehicles stopped to load/unload passengers is not considered parked. Parking on private property will be governed by the same regulations that apply on public streets and highways. A vehicle stopped in traffic in response to a sign, traffic signal or the police is not considered parked.

<sup>3</sup> The determination of preventability of an accident is the function of Senior Management.



## **VI. EMPLOYEE ACCIDENT REPORTING PROCEDURE**

Employees will take the following actions when there are injuries to persons and/or damage to other vehicles or property:

1. If possible, move the vehicle to a safe location out of the way of traffic. Call for medical attention if anyone is hurt.
2. Secure the names and addresses of drivers and occupants of any vehicles involved, their operator's license numbers, insurance company names and policy numbers, as well as the names and addresses of injured persons and witnesses. Take pictures of the vehicles and any damages to the vehicles to the extent that you are physically able to do so without causing injury to yourself. Record this information on the Accident Report form. Do not discuss fault with, or sign anything for anyone except an authorized representative of PHDC or a police officer.
3. Immediately notify your Director and the Legal Director. If any injuries were involved and the Legal Director is not available, please contact General Counsel.
4. The vehicle should not be repaired until you receive authorization from the Legal Director.

When there is theft of or damage to the Company Vehicle only:

1. Regardless of whether you did or did not witness the damage to the Company Vehicle, you must notify the local police department immediately.
2. Immediately notify the Legal Director.
3. Send a copy of the police report along with a memo outlining any additional information to the Legal Director.

## **VII. VEHICLE SELECTION, INSPECTION AND MAINTENANCE**

### 1. Introduction:

Proper selection and maintenance of equipment are important aspects of this Program. Reduced operational costs and accidents from vehicle defects are the direct result of a well implemented maintenance policy.

### 2. Vehicle Selection:

Selection of vehicles begins with understanding the wrong equipment can result in excessive breakdowns, create hazards to personnel, incur costly delays and contribute to poor service and customer complaints. Senior Management will purchase vehicles designed for their intended use.

### 3. Vehicle Maintenance:

Vehicle maintenance can take the form of three distinct programs: preventive maintenance ("PM"), demand maintenance, and crisis maintenance. While all three types have their role in the Program, the most cost effective control is PM. The groundwork for a good PM program starts with Management. A review of manufacturer's specifications and recommendations for periodic PM should be integrated with the actual experience of the vehicles.

A. PM is performed on a mileage or time basis. Typical PM includes oil/filter changes, lubrication, tightening belts and components, engine tune-ups, brake work, tire rotation, hose inspection/replacement and radiator maintenance.

B. Demand maintenance is performed only when the need arises. Some vehicle parts are replaced only when they actually fail. These include light bulbs, window glass, gauges, wiring, air lines, etc. Other "demand maintenance" items involve vehicle components that are worn based on information from the vehicle condition report. These include tires, engines, transmissions, universal joints, bushings, batteries, etc. Since these situations are identified through periodic vehicle inspection, they can actually be classified within the PM program.

C. Crisis maintenance involves a vehicle breakdown while on the road. While situations of this type may happen regardless of the quality of the PM program, it is an expensive alternative to not having an effective PM program at all. Crisis maintenance situations should be minimized through proper PM procedures.

### 4. Recordkeeping:

The records of inspection and maintenance will be maintained by Senior Management.

## **VIII. DRIVER TRAINING**

1. Drivers hired by PHDC to operate a Company Vehicle will have the basic skills and credentials necessary to perform this function as confirmed through the driver selection process.
2. New employees, contractors, and temporary hires will receive a copy of this Program as part of their initial orientation.
3. License Suspension:

Drivers must notify the Legal Director if their license is suspended or revoked.

## **IX. DRIVER SAFETY REGULATIONS**

### 1. Safety Belts:

The driver and all occupants are required to wear safety belts when the vehicle is in operation or while riding in a vehicle. The driver is responsible for ensuring passengers wear their safety belts.

### 2. Impaired Driving:

The driver must not operate a vehicle at any time when his/her ability to do so is impaired, affected, influenced by alcohol, illegal drugs, prescribed or over-the-counter medication, illness, fatigue or injury.

### 3. Traffic Laws:

Drivers must abide by the Federal, State and Local motor vehicle regulations, laws and ordinances.

### 4. Vehicle Condition:

Drivers are responsible for ensuring the vehicle is maintained in a safe driving condition. Drivers of daily rentals should check for obvious defects before leaving the rental office/lot and, if necessary, request another vehicle if the first vehicle is deemed unsafe by the employee. Drivers are encouraged to rent vehicles equipped with air bags and ABS brakes, where available.

### 5. Cellular Telephones and Electronic Devices:

The following procedures apply to employees driving vehicles or are on PHDC, PRA, or PLB business who wish to use cellular telephones in the vehicle.

- A. External speaker and microphone or other hands-free device must be included to allow hands-free operation.
- B. Drivers are to refrain from placing outgoing calls and sending or reading emails or texts while the vehicle is in motion.
- C. Incoming calls should be limited and a hands-free device must be utilized.
- D. For any vehicle equipped with a cellular telephone that does not meet the above equipment specifications, use of the telephone is authorized when the vehicle is safely parked.
- E. Employees are prohibited from using an iPod or similar device while operating a motor vehicle.

6. Motorcycles:

Employees are prohibited from using motorcycles when traveling on PHDC, PRA, or PLB business.

7. General Safety Rules:

Employees are not permitted to:

- A. Pick up hitchhikers.
- B. Accept payment for carrying passengers or materials.
- C. Use any radar detector, laser detector or similar devices.
- D. Push or pull another vehicle.
- E. Assist disabled motorists or accident victims beyond their level of medical expertise. If a driver is unable to provide the proper medical care, s/he must restrict his/her assistance to calling the proper authorities. Your safety and well-being are to be protected at all times.

8. PHDC/PRA/PLB Property and Personal Property:

Employees are responsible for PHDC, PRA, and PLB property such as computers, work papers and equipment under their control. **PHDC will not reimburse the employee for stolen personal property.**

9. Parking or Moving Violations:

Employees are responsible for paying any fines or costs assessed for any parking and/or moving violations that Employees receive while on PHDC, PRA, or PLB business or driving a Company Vehicle.

# **APPENDIX**

## **GUIDE FOR PREVENTABLE OR NON-PREVENTABLE ACCIDENTS**

An accident is preventable if the driver could have done something to avoid it. Drivers are expected to drive defensively. Which driver was primarily at fault, who received a traffic citation, or whether a claim was paid has absolutely no bearing on preventability. If there was anything the driver could have done to avoid the collision, then the accident was preventable.

An accident is non-preventable when the vehicle was legally and properly parked, or when properly stopped because of a law enforcement officer, a signal, stop sign, or traffic condition.

If a stationary object is struck, then it is usually a preventable incident. If the driver rear ends another vehicle then it is usually a preventable incident. It should be noted there are exceptions to any rule, but they are just that - exceptions!

It should be the objective of any person discussing or judging accidents to obtain as many facts as possible and to consider all conceivable conditions. Adverse weather conditions, actions of other drivers, or other such excuses must not influence the judgment of preventability. If procedures, scheduling, dispatching, or maintenance procedures out of the control of the driver were found to be factors, that should be taken into account.

Drivers are expected to drive in a manner which allows them to avoid conflicts when they arise. Whether a driver has a 25-year safe driving record or started driving the day before has no bearing on whether an accident is or is not preventable.

## **QUESTIONS TO CONSIDER - GENERAL**

When judging or discussing preventable accidents, these are some questions to consider:

1. Does the report indicate that the driver considered the rights of others or is there evidence of poor driving habits which need to be changed?
2. Does the report indicate good judgment? Such phrases as "I did not see," "I didn't think," "I didn't expect," or "I thought" are signals indicating there is something wrong. An aware driver should think, expect, and see hazardous situations in time to avoid collisions.
3. Was the driver under any physical handicap which could have been contributory? Did the accident happen near the end of a long and/or hard run?
4. Was the vehicle defective without the driver's knowledge? A gradual brake failure, a car which pulls to the left or right when the driver applies the brakes, faulty windshield wipers, and other similar issues are excuses. A driver using the foregoing excuses are trying to evade responsibility. Sudden brake failure, loss of steering, or a blowout may be considered defects beyond the driver's knowledge; however, the inspection and maintenance program should work to prevent these hazards.
5. Would taking a route through less congested areas reduce the hazardous situations encountered?

## **QUESTIONS TO CONSIDER – SPECIFIC TYPES OF ACCIDENTS**

### **Intersection Collisions**

Failure to yield the right-of-way, regardless of stop signs or lights, is preventable. The only exception to this is when the driver is properly proceeding at an intersection protected by lights or stop signs and the driver's vehicle is struck in the extreme rear, side, or back.

Regardless of stop signs, stop lights, or right-of-way, a driver should recognize that the right-of-way belongs to anyone who assumes it and should yield accordingly. In addition, a driver is expected to know the turning radius of the vehicle and be able to avoid damaging others. These accidents are normally considered preventable.

1. Did the driver approach the intersection at a speed safe for conditions?
  
2. Was the driver prepared to stop before entering the intersection?
  
3. At a blind corner, did the driver pull out slowly, ready to apply the brakes?
  
4. Did the driver operate the vehicle correctly to keep from skidding?



## **Sideswipes**

Sideswipes are often preventable since drivers should not get into a position where they can be forced into trouble. A driver should pass another vehicle cautiously and pull back into the lane only when s/he can see the other vehicle in the rearview mirror. A driver should also be ready to slow down and let a passing vehicle into the lane. A driver should not make a sudden move that may force another vehicle to swerve. Unless the driver is swerving to avoid another car or a pedestrian, sideswiping a stationary object is preventable.

Drivers are expected to be able to gauge distances properly when leaving a parking place and enter traffic smoothly.

A driver is expected, whenever possible, to anticipate the actions of an oncoming vehicle. Sideswiping an oncoming vehicle is often preventable.

The doors of a vehicle should never be opened when it is in motion and should not be opened on the traffic side, unless clear of traffic, when it is parked.

A parked vehicle can be seen from a sufficient distance; therefore, the operator of an approaching vehicle should be prepared in case the doors of the parked vehicle are opened. This type of accident is non-preventable only when the door is opened after the driver has passed it.

1. Did the driver look to front and rear for approaching and overtaking traffic immediately before starting to pull away from the curb?
2. Did the driver signal before pulling away from the curb?
3. Did the driver look back rather than depend only upon rearview mirrors?
4. Did the driver start into traffic only when this action would not require traffic to change its speed or direction in order to avoid his or her vehicle?

## **Skidding**

Many skidding conditions are caused by rain, freezing rain, fog, and snow, which all increase the hazard of travel. Oily road film, which builds up during a period of good weather, causes an especially treacherous condition during the first minutes of a rainfall.

Loss of traction on a grade can be anticipated, and these accidents usually are preventable. Chains or other suitable traction devices should be used, if they are available.

1. Was the driver operating at a safe speed considering weather and road conditions?
2. During inclement weather, was the driver keeping at least twice the safe following distance used for dry pavement?
3. Were all actions gradual?
4. Was the driver anticipating ice on bridges, gutters, ruts, and near the curb?
5. Was the driver alert for water, ice or snow in shaded areas, loose gravel, sand, ruts, etc.?
6. Did the driver keep out of other vehicle tracks or cross them at wide angles?

## **Pedestrian and Animal Collision**

All types of pedestrian accidents, including collision with pedestrians coming from between parked cars, are usually considered preventable. There are few instances where the action of pedestrians is so unreasonable that the driver could not be expected to anticipate such an occurrence.

Collisions with animals are normally preventable, unless the movement on the part of an animal was unusual and unexpected. This is also taking into consideration the fact that the driver was aware of animals in the vicinity.

1. Did the driver go through congested sections expecting that pedestrians would step in front of the vehicle?
2. Was the driver prepared to stop?
3. Did the driver keep as much clearance between his or her vehicle and parked vehicles, as safety permitted?
4. Did the driver stop when other vehicles have stopped to allow pedestrians to cross?
5. Did the driver wait for the green light or stop for the caution light?
6. Was the driver aware of children and prepared to stop if one ran into the street?
7. Did the driver give all pedestrians the right-of-way?
8. Did the driver stop for a school bus, which was stopped and properly signaling that passengers were loading or unloading?

## **Parked or Stopped**

Accidents occurring when vehicles are properly and legally parked are considered non-preventable. Accidents occurring while the vehicle was double parked or in a "No Parking" zone are preventable.

1. Was the vehicle parked on the proper side of the road?
2. Was it necessary to park near the intersection?
3. Did the driver have to park on the traveled part of the highway, on the curve, or on the hill?
4. When required, did the driver warn traffic by emergency warning devices?
5. Did the driver park parallel to the curb?
6. Was it necessary to park so close to an alley or directly across from a driveway?

## **Non-collision Vehicle Damage, Mechanical Failure and Miscellaneous Problems**

The accident should be considered preventable if the investigation shows a mechanical defect of which the driver was aware, a defect the driver should have found by inspecting the vehicle, or the driver caused by rough and abusive handling.

When a mechanical failure is sudden or unexpected, not resulting from abuse or ordinary wear, it may be considered non-preventable. Bad brakes should not be considered a mechanical failure unless the failure was sudden and the driver could have had no previous knowledge of the condition.

It is a driver's responsibility to keep the cargo in mind and be aware of any sudden vehicle movements which may cause damage to the cargo.

Driving off the highway to avoid a collision may be preventable. Drivers should try not to place themselves in such a position.

"U" turns are a monkey wrench in the smooth flow of traffic. Accidents which occur while this maneuver is attempted are considered preventable.

1. Could the driver have done anything to avoid the accident?
2. Was the driver's speed safe for conditions?
3. Did the driver obey all traffic signals?
4. Was the driver's vehicle under control?
5. Did the driver follow the routing and delivery instructions?