

# Your Driver Was Just In An Accident – What Should You Do?

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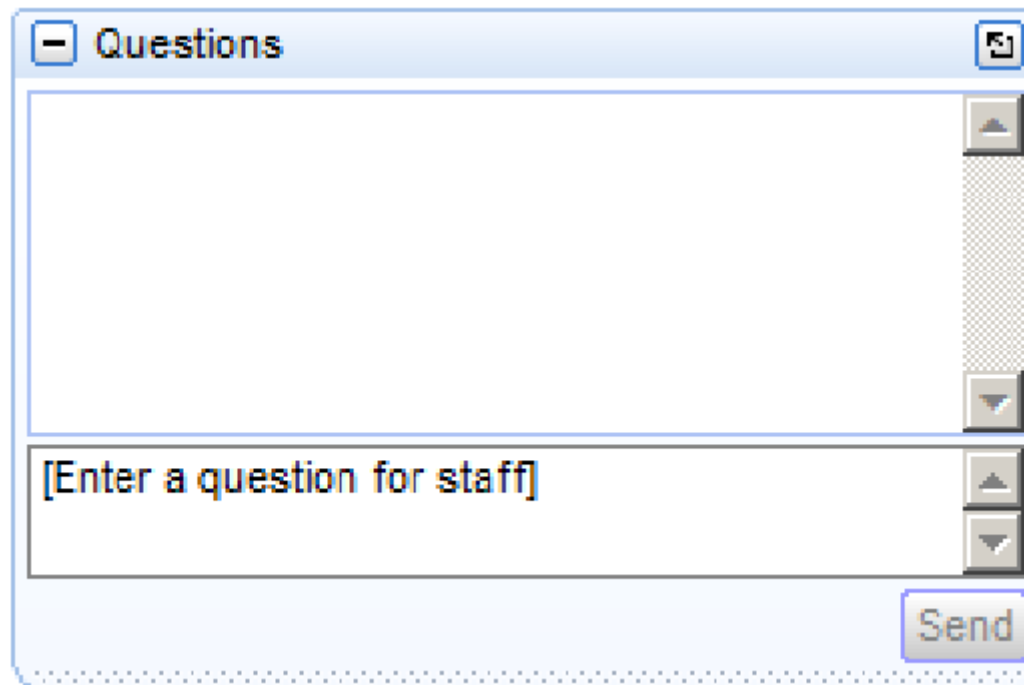


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# Webinar Technology Reminders

All of your lines have been muted. However there will be a Question & Answer session at the end of the presentation today.

Please enter your questions in the Questions/Chat box and send to the host.



The image shows a screenshot of a web-based interface for submitting questions. It features a window titled "Questions" with a close button in the top-left corner and a help icon in the top-right. The main area is a large, empty text input field. Below this field is a smaller input field containing the placeholder text "[Enter a question for staff]". To the right of the text input fields are vertical scrollbars. At the bottom right of the window is a "Send" button.

# Today's Presentation Topics

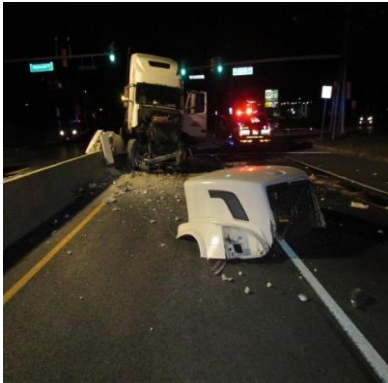
- In The News and Statistics
- Hidden Consequences of Late Reporting
- Accident Scenario
- Initial Contacts
- Claim Reporting
- Important Information and Documents
- Post-Accident Review
- Resources

# In The News



## **“Tractor-trailer crashes into home in Moneta then catches fire”**

WSLS – Nov 10, 2016



## **“Georgia Man Killed In Tractor Trailer Involved Accident in South Brunswick”**

Patch.com – Nov 9, 2016

# Statistics

- In the United States, an estimated 438,000 large trucks were involved in police-reported traffic crashes during 2014.
- In 2014 there were an estimated 111,000 people injured in crashes involving large trucks – an increase of 17 percent from an estimated 95,000 in 2013.
- Of the people injured in 2014:
  - 74 percent were occupants of other vehicles,
  - 23 percent were occupants of large trucks, and
  - 3 percent were non-occupants

*\*See "Traffic Safety Facts– 2014 Data"; May 2016; National Highway Traffic Safety Administration*

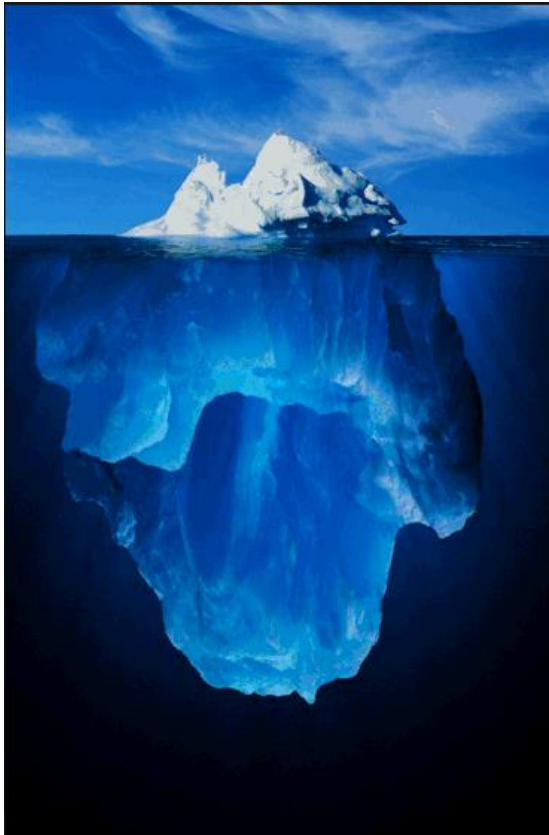
## Statistics – cont.

- Based on a recent sample report of 2016 claims data:
  - Approximately **61%** of all claims were reported ***on the same day*** as the date of loss
  - Approximately **17%** of all claims were reported ***the day after*** the date of loss
  - Approximately **22%** of all claims were not reported until ***2 or more days*** after the date of loss; some even ***more than 90 days*** later

*Timely claim reporting is critical to achieving a fast, fair and legally compliant resolution to accidents!*

# Hidden Consequences of Late Reporting

## Iceberg Example:



- Above the water = known/anticipated consequences
- Below the water = hidden consequences

# Hidden Consequences of Late Reporting – cont.

- Lack of Timely Statements
- Lack of Pictures
- Lack of Police Report
- Unknown Injuries and/or Damage
- Affected Party May Decide to Retain Attorney
- Increased Costs
- Potential Reputational Damage
- Potential Denial of Coverage by Insurance Carrier



# Accident Scenario - *hypothetical*

While driving eastbound on I-70 in the right-hand lane, another vehicle slowly merges in front of your company truck. Your driver decides to change lanes in order to allow the other vehicle into the right-hand lane and pass the slower moving vehicle. Unfortunately, a third vehicle is approaching fast in the left-hand lane at 90 mph and texting on his phone. When the driver of the third vehicle finally looks up and sees your company truck merging into the left-hand lane, he slams on his brakes and veers left, impacting the concrete side wall and eventually coming to a stop on the shoulder. Your driver pulls over as well, and goes over to check on the other driver, who tells your driver that he only has bumps and bruises and there's only minor damage to the side of his vehicle. The other driver doesn't want to report it to the police or his insurance company because he doesn't want his rates to go up. Your driver, who is worried about having an accident on his record and thinks it's the other driver's fault anyway for not paying attention, says "sounds good to me", gets back in your company truck and drives away. Your driver doesn't report the accident to you or to the insurance carrier.

A month later, your company gets a call from John B. Attorney, with Cheatum, Dewey & Howe, advising that he represents the driver of the other vehicle. John B. Attorney advises that his client has sustained major damage to his vehicle and severe injuries as a result of the recent accident. He further advises that his client has incurred several thousand dollars in medical expenses, and demands that you report this to your insurance carrier.

# Initial Contacts

- 911 For Serious Injuries
- Police Department
- Insurance Carrier – refer to insurance card information
- Designated Company Contact or Dispatch
- Insurance Agent
- OSHA

# Claim Reporting

- Most insurance policies contain language that requires the insured to report all claims, *and even potential claims*, as soon as practicable.
- When you contact the insurance carrier to report, the claims customer service representative will typically ask for your company policy number, company name, the primary contact at your company, and the who, what, where, when, how details relating to the accident. If you don't have all the information (such as other driver's contact information) that's ok – provide what you have at the time.
- Depending on the circumstances of the accident, the insurance carrier may assign an investigator and/or towing company right away.
- Once the claim is assigned to a claim adjuster, that claim adjuster will reach out to your designated primary contact to confirm receipt of the claim, obtain additional information/documentation, and discuss next steps.

# Important Information and Documents

- The Accident
  - Including date and location of accident, names & contact information of all involved parties, vehicle/truck information, detailed description of accident, driver statements, witness statements, pictures/video of damage and loss location, police report, drug/alcohol testing results
- The Claim
  - Including claim adjuster name and contact information, claim number, (where applicable) defense counsel name and contact information, copy of initial loss notice to insurance carrier
- Safety
  - All safety training records for driver, including completion status, dates of completion, topics covered
  - Driver's MVR history

# Post-Accident Review

- Driver Interview
  - Should be conducted as soon as possible after accident – memories fade
- Company Policies & Procedures
  - Is there a claim reporting procedure in place?
  - Did driver follow all other procedures
- Maintenance Records
- Safety Committee
  - Review all available information
  - Determine root cause
  - Evaluate safety training & company safety plan
  - Propose solutions/ideas
- Management Review and Support
- Implement Action Plan

# Resources

- Cline Wood University
  - [webinars@clinewooduniversity.com](mailto:webinars@clinewooduniversity.com)
  - [www.clinewood.com](http://www.clinewood.com) – click on University tab at top of page
- OSHA – Incident Investigation
  - <https://www.osha.gov/dcsp/products/topics/incidentinvestigation/>
- Scott Dunwiddie – Claims & Risk Management Director, Cline Wood
  - Email: [scottd@clinewood.com](mailto:scottd@clinewood.com)
  - Phone: 913-906-8825

# Questions?



**Thank You For Attending  
Today's Webinar!**





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