



Drivers, Fleet Managers Must Report All Claims

A COMMON PROBLEM in the transportation industry is fleet managers failing to report accidents that their drivers are involved in, or the drivers themselves failing to report them in the first place.

The risk is that if you ignore this problem, it's not going away and will instead likely come back to haunt you, particularly when a third party was involved as that can turn a small claim into a large one. The same goes for filing a claim late.

Both can result in one or more of the following:

- The claim being denied,
- Settlement costs exploding,
- Your premium increasing substantially, or
- Your insurer non-renewing your coverage.

If you fail to file a claim after an accident, or file it late, you leave your insurer at a disadvantage as it's more difficult to establish evidence over time, especially for bodily injury claims. Filing an accident claim late can make it harder to reach a resolution, and it could lead to the insurer denying the claim.

Also, if a claim isn't reported, the insurer will eventually find out about it when reported by a plaintiff's attorney or when it receives a notice of a lawsuit.

What to do after an accident

You are required to report all incidents or accidents, even if your driver feels they weren't at fault and/or if damage is minor, or even if there was no damage at all.

Report all claims immediately to us, your broker. If we are not available and it's an emergency, contact your insurance carrier directly.

You should keep claim information forms in all of your trucks and in a convenient location, like a glove box. The driver should follow the instructions on the form and fill it out thoroughly, including getting insurance information from a third party, if involved.

The driver should also gather as much information as possible at the scene, using their smartphone camera to take pictures of the scene and other vehicles or property involved. If you have equipped your vehicles with dash cameras, you should preserve the footage as well. ❖

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Take Steps Now to Comply with the New Standard

The takeaway

With these rules impending, it's imperative that construction firms and contractors take steps now to comply with the new standard. For many, it will require investing in fall-protection systems, which can be costly — particularly for stationary ones.

Expect Cal/OSHA to enforce the new trigger vigorously.

One final word of warning: According to the *Cal/OSHA Reporter* newsletter, Cal/OSHA is just getting started.

It has a "Phase II" planned that will go beyond residential construction, with the ultimate goal of bringing all construction fall-protection triggers down to 6 feet. Rulemaking on that may start in the next few months. ❖

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