

COUNTY OF LOS ANGELES
PROBATION DEPARTMENT
DIRECTIVE

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SUBJECT: VEHICLE ACCIDENT REVIEW

This Directive establishes the Probation Department policy to investigate all vehicle accidents involving Los Angeles County Probation Department employees operating a vehicle owned by the County of Los Angeles (COLA) or operating his/her own vehicle as an authorized mileage permittee. This Directive replaces Directive #959.

PERFORMANCE EXPECTATIONS

Each Probation Department employee operating a vehicle owned by the County of Los Angeles or operating his/her own vehicle as an authorized mileage permittee during the course of employment must have the appropriate valid California driver's license, obey all traffic laws, and use required safety equipment in accordance with California Vehicle Codes. Staff may secure information regarding traffic laws and safety equipment use within the State of California by accessing the State of California Department of Motor Vehicles website online via <http://www.dmv.ca.gov> or by securing a copy of the current applicable Drivers Handbook from a local DMV office.

In addition, employees who drive during the course of County service must adhere to applicable County and Department policies that include, but are not limited to:

- County of Los Angeles Employee Handbook Performance Expectations
- COLA Chief Executive Office Risk Management-Safety Bulletins on (See-Attachment #1):
 - Defensive Driving Tips & Techniques
 - Preventing Rear End Collisions
- Probation Department Policy Manual Section 1100-County Property
- Probation Department Policy Manual Section 600-Employee Conduct
- Probation Directive #1149-Probation Fleet Vehicles
- Mileage Reimbursement/Self-Insurance Program (available on Probnets)

All Probation Department employees are held accountable for the proper and safe use of County property and equipment. It is the intent of this policy that employee drivers/operators, who are the cause of preventable traffic collisions because of inattention or other factors, be subject to corrective action and/or training.

This Directive is separated into major sections and includes attachments as outlined below:

- Section A - Definitions and Explanation of Terms
- Section B - Duties and Responsibilities of Employee Driver
- Section C - Duties and Responsibilities of Supervisor or Designee
- Section D - Duties and Responsibilities of Director or Designee
- Section E - Duties and Responsibilities of the Bureau
- Section F - Duties and Responsibilities of the Risk Management Office
- Section G – Accident Review Committee (ARC)

SECTION – A: DEFINITIONS AND EXPLANATION OF TERMS

This section has been included to assist employees in their understanding and application of important terms used in this Directive. Key terms used in this Directive are defined as follows:

Collision (also referred to as accident) – The striking or contact of any other person, object, another vehicle, stationary object, roadway dip, etc., with a Department vehicle or authorized mileage permittee vehicle during course and scope of employment that results in damage, injury or death.

Defensive Driving – Those techniques and concepts which emphasize awareness, control and the use of proper evasive action to avoid or prevent a collision.

Non-Preventable – A collision that occurred while the Department vehicle or authorized mileage permittee vehicle was being driven defensively or used in a reasonable, prudent manner and the employee had no opportunity to avoid the collision. The fact that the other driver may have committed a Vehicle Code violation is not of itself sufficient cause to justify a classification of non-preventable.

Preventable – A collision that occurred while the Department vehicle or authorized mileage permittee vehicle was being used while engaged in County business (course and scope of employment) and such collision damage could have been prevented by the employee. The decision that a collision was preventable shall be based on whether or not the employee was driving defensively or using the vehicle in a reasonable manner and could have avoided the collision regardless of any legal rights (such as but not limited to right-of-way at intersections) to which he/she may have been entitled pursuant to the California Vehicle Code. The fact that the other driver may have committed a Vehicle Code violation is not of itself sufficient cause to justify a classification of non-preventable.

Type of Damage: Minor – Small visible amounts of property damage such as a small dent, paint scratches, broken window, flat tire, bumper bent or hanging, etc.

Type of Damage: Major – Large visible amounts of property damage such as dents extending from the front to the rear vehicle (or visa versa), large parts of the vehicle completely separated from the vehicle, airbags deployed, trunk pushed more than ½ way in, hood or engine parts pushed more than ½ way in, jaws of life used to rescue trapped people, etc.

SECTION – B: DUTIES AND RESPONSIBILITIES OF EMPLOYEE DRIVER

Probation Department employees that are involved in a vehicle collision while operating a vehicle owned by the County of Los Angeles or operating his/her own vehicle as an authorized mileage permittee during the course of employment must:

- **Stop.** Failure to stop could result in arrest and prosecution for violation of pertinent laws such as, but not limited to Failure to Stop at Scene of Injury Accident (also known as Hit and Run). Such failure to stop could also result in Departmental discipline up to and including discharge.
- **Exchange Information-Show driver license, registration card and COLA Evidence of Financial Responsibility (See-Attachment #2) to the other party or parties and/or the responding officer. Employee should not admit to fault or liability, nor discuss the circumstances of the collision with anyone other than an investigating officer.**
- If the collision involves fatalities or serious injuries you must make an immediate report (within 24 hours) by calling Carl Warren & Company at (818) 247-2206.
 - Employee must also make any applicable reports to the DMV (SR-1 form available online via <http://www.dmv.ca.gov>) within 10 days if:
 - More than \$750 in damage was done to the property of any person.
 - Anyone was injured or killed.
- **Complete the COLA Report of Vehicle Collision or Incident** (See-Attachment #3) within 24 hours of the vehicle collision and submit it to immediate supervisor (or supervisor's designee) within three (3) business days of the collision.

SECTION – C: DUTIES AND RESPONSIBILITIES OF SUPERVISOR OR DESIGNEE

The supervisor or designee of a Department employee that was involved in a vehicle collision while operating a vehicle owned by the County of Los Angeles or operating his/her own vehicle as an authorized mileage permittee during the course of employment must:

- **Instruct the employee to complete the COLA Report of Vehicle Collision or Incident within three (3) business days of the collision.** In addition, the supervisor or designee must:
 - Review and sign the form.
 - Submit the COLA Report of Vehicle Collision or Incident form to his/her Director or designee for their review and signature within three (3) business days of the collision.
- **Complete the Driver Accident Review Report (DARR) related to the collision** (See-Attachment #4). The form shall be thoroughly and accurately completed by the supervisor.
- Address any applicable grievance procedure processes for represented employees associated with the vehicle collision (See Directive #1164).

SECTION – D: DUTIES AND RESPONSIBILITIES OF PROBATION DIRECTOR OR DESIGNEE

The probation director or designee (reviewing officer) of a Department employee that was involved in a vehicle collision while operating a vehicle owned by the County of Los Angeles or operating his/her own vehicle as an authorized mileage permittee during the course of employment must:

- **Instruct the immediate supervisor to have the employee complete the COLA Report of Vehicle Collision or Incident and give it to the director within three (3) business days of the collision.** In addition, the director or designee must:
 - Review and sign the form.
 - Submit the COLA Report of Vehicle Collision or Incident form as follows within three (3) business days of the collision:
 - Original to the associated bureau chief or his/her designee.
 - One copy to Probation Department Risk Management Office.
 - One copy to Probation Department Fleet Manager.
- **Receive the completed Driver Accident Review Report (DARR) related to the collision.** The form shall be thoroughly reviewed. The reviewing officer shall:
 - Mark the appropriate check box as to his/her decision related to the recommended corrective action and/or note alternate action taken.
 - Submit the DARR as follows within ten (10) days of the vehicle collision:
 - Original to the associated bureau chief or his/her designee.
 - One copy to Probation Department Risk Management Office.
- **Designate staff to take or arrange for delivery of the involved COLA owned vehicle** to one of the COLA Internal Services Department (ISD) garage locations for **post-vehicle accident inspection within ten (10) days of the collision. Contact ISD at one of the following numbers to arrange the post-vehicle accident inspection (i.e.-delivery of vehicle to ISD for inspection and return of the vehicle to the Department):**
 - Alameda Garage via (213) 974-9095
 - Culver City Garage via (310) 397-5087
 - Eastern Avenue Garage via (323) 267-2371
 - Mira Loma Garage via (661) 940-3039
 - Monrovia Garage via (626) 303-1800
- Address any applicable grievance procedure processes for represented employees associated with the vehicle collision (See Directive #1164).

SECTION – E: DUTIES AND RESPONSIBILITIES OF THE BUREAU

The bureau of a Department employee that was involved in a vehicle collision while operating a vehicle owned by the County of Los Angeles or operating his/her own vehicle as an authorized mileage permittee during the course of employment must:

- **Receive** the original completed COLA Report of Vehicle Collision or Incident form and the DARR within the stated timeframes.
- **Submit Referrals** to Professional Standards Division (PSD) consistent with Directive #964 or other applicable Department policy and/or guidelines.
- **Implement and complete corrective actions after:**
 - The Accident Review Committee (ARC) considered the matter and rendered a Final Corrective Action Decision that may be subject to the

applicability of Civil Service Rules, departmental policies and procedures, laws and/or provisions of the respective employee's Memorandum of Understanding (MOU).

- Address any applicable grievance procedure processes for represented employees associated with the vehicle collision (See Directive #1164).
- Notify the ARC of the Corrective Action taken post any grievance processes.

SECTION – F: DUTIES AND RESPONSIBILITIES OF THE RISK MANAGEMENT OFFICE

Probation Department Risk Management Office (RMO) will receive copies of the COLA Report of Vehicle Collision or Incident form and the DARR within the stated timeframes. RMO must:

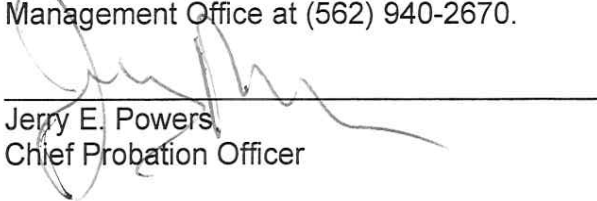
- Submit a copy of the COLA Report of Vehicle Collision or Incident form immediately to Carl Warren & Company.
- Request and secure the following material from the involved operation within twenty (20) days of the vehicle collision (copies of the below material shall later be submitted to Carl Warren & Company):
 - A copy of any and all CHP and/or police reports associated with the vehicle collision.
 - Photo's of the involved COLA owned vehicle or authorized mileage permittee vehicle.
 - Estimates for the repair and/or invoices for repair of the involved COLA owned vehicle or authorized mileage permittee vehicle.
 - Copies of the vehicle inspection log and maintenance records if the collision involves a COLA owned vehicle (prior history of the vehicle).
- Maintain a Vehicle Accident Review folder that consists of the above material.

SECTION – G: ACCIDENT REVIEW COMMITTEE (ARC)

The Department will develop an Accident Review Committee (ARC) that will convene on a bi-monthly basis. The ARC will be comprised of management and employees. The ARC will:

- Review accident investigation results.
- Review COLA Report of Vehicle Collision or Incident.
- Review Driver Accident Review Reports.
 - Issue a final determination of preventability.
 - Issue a final determination related to corrective action recommendations.
- Review final corrective actions post any applicable grievance procedure processes for represented employees associated with the vehicle collision (See Directive #1164).

Questions or concerns related to this Directive may be addressed by contacting the Risk Management Office at (562) 940-2670.



Jerry E. Powers
Chief Probation Officer