



## Determining Accident Preventability

Our focus is on determining preventability. If an accident is correctly deemed as "Non-preventable," it means that there is nothing the driver could reasonably do to avoid similar involvement in the future, given the same set of circumstances. Preventable accidents need to be identified in order to reduce the likelihood of reoccurrence.

The first step in determining accident preventability is to ask the following: Did the driver do everything reasonable to prevent the accident, in spite of the incorrect actions of other drivers, and make due allowance for adverse conditions (road, weather and traffic)? It is important to remember that police action in issuing citations for an accident is not a factor in determining whether a driver could have prevented an accident from occurring.

Despite the fact that each accident must be judged individually, experience in fleet safety over years has shown that certain types of accidents are generally non-preventable on the part of the driver and, in the absence of extenuating circumstances, could have been prevented by defensive driving. The list of accidents below cannot cover every accident that may occur, but are some examples of preventable versus non-preventable.

### NON-PREVENTABLE ACCIDENTS

#### A. Struck in Rear by Other vehicle NON-PREVENTABLE IF:

- Driver's vehicle was legally and properly parked;
- Driver was proceeding in his/her own lane of traffic at a safe and lawful speed;
- Driver was stopped in traffic due to existing conditions or was stopped in compliance with traffic sign or signal or the directions of a police officer or other person legitimately controlling traffic;
- Driver was in proper lane waiting to make a turn.

#### B. Struck While Parked NON-PREVENTABLE IF:

- Driver was properly parked in a location where parking was permitted;
- Vehicle was protected by emergency warning devices as required by DOT and state regulations or if driver was in process of setting out or retrieving signals. These provisions shall apply to the use of turn signals as emergency warning lights under DOT regulations.

### PREVENTABLE ACCIDENTS

#### A. Accidents at Intersections PREVENTABLE IF:

- Driver failed to control speed to stop within available sight distance
- Driver failed to check cross-traffic and wait for it to clear before entering intersection;
- Driver pulled out from side street in the face of oncoming traffic;
- Driver collided with person, vehicle or object while making right or left turn;
- Driver collided with vehicle making turn in front of him/her.

#### B. Striking Other Vehicle in Rear PREVENTABLE IF:

- Driver failed to maintain safe following distance and to have the vehicle under control;
- Driver failed to keep track of traffic conditions and note slowdown;
- Driver failed to ascertain whether vehicle ahead was moving slowly, stopped or slowing down for any reason;
- Driver misjudged rate of overtaking;
- Driver came too close before pulling out to pass;
- Driver failed to wait for car ahead to move into the clear before steering up.



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