

*Avoidable or  
Unavoidable?*

***How to Judge Auto  
Accidents Effectively***



**United Parcel Service**

## What is an auto accident?

An auto accident is defined as any occurrence in which a UPS vehicle is in any way involved and which results in personal injury, property damage, or collision *no matter how slight* and regardless of fault.

The objective of accident investigation is to determine any errors in judgment or driving made by our drivers, and to point them out to them for the purpose of making them better drivers and thus avoiding future similar accidents. *Legal liability should never influence those who classify accidents*, because of the many variables and legal judgment factors which can affect the outcome of the case and also because legal liability does not have any connection with avoidability.

Determining whether automobile accidents are "Avoidable" or "Unavoidable" must be done on a uniform and impartial basis. Without clear guidelines, individuals or committees responsible for classifying accidents will not be consistent in their evaluation procedures. Inconsistency in handling cases may create problems with employees who feel that their accidents have been unfairly classified.

Basically, there is one question which should always be asked in determining avoidability:

"Did our driver take every reasonable precaution to avoid the accident?"

If the answer is "No," our driver was not driving defensively and, thus, the accident should be judged "Avoidable."

Driving so as to avoid accidents means more than simply observing traffic regulations and being alert and skillful. Topnotch professional drivers, such as those on our Safe Driving Honor Roll, constantly practice the principles of defensive driving—driving so that they can defend themselves against the situations that cause accidents, situations often created by the other driver.

The Defensive Driver expects and makes allowances for the reckless, careless or unexpected actions of other drivers. Our driver does not expect other drivers always to obey traffic regulations, to look before pulling from the curb, to observe "stop" signs or to stop at red traffic signals. And so, when they don't do these things, our driver's are not surprised, not caught with their guard down. Because their guard is up, they avoid the accident, having anticipated and made allowance for the careless act of another driver.

They drive skillfully to avoid hitting others, but in addition, they drive so as to put themselves in a position not to be hit by others, regardless of what they do wrong. In other words, they make themselves hard to hit.

They adjust their driving to meet all of the changing hazards of weather, roads, traffic and other conditions. Fifty miles per hour may be safe on a dry, deserted road—ten miles per hour may be too fast on the same road when it's wet and full of traffic.

In almost any accident involving two moving vehicles, both drivers contributed something: either could have prevented it if each hadn't contributed their share. The professional UPS driver is expected to avoid contributing their share by:

- Driving skillfully
- Driving carefully
- Expecting the unexpected
- Making themselves hard to hit
- In short, by driving defensively

The following questions are organized into groups which relate to several probable accident situations. If the answer to all applicable questions is "yes," then our driver may be free of fault, and the accident should be considered "Unavoidable." This would also apply to a vehicle with a defect contributing to the accident, which had been reported by the driver on the Car Condition Report of the previous day or as a result of the pre-trip inspection on the day of the accident. These questions suggest the proper action to be taken by a professional driver. IF THE ANSWER TO ANY OF THEM IS "NO," OUR DRIVER WAS NOT DRIVING DEFENSIVELY AND CONTRIBUTED TO THE ACCIDENT. THE ACCIDENT SHOULD BE JUDGED "AVOIDABLE." The accident is also to be considered "Avoidable" if the vehicle has a defect contributing to the accident, which should have been (but was not) reported by the driver on the Car Condition Report of the previous day or as a result of the pre-trip inspection on the day of the accident.

## Intersection

- Did our driver approach the intersection at a controlled speed which was reasonable for the conditions?
- Was our driver prepared to stop before entering the intersection regardless of right of way?

• Did our driver avoid entering an intersection on the amber signal?

• Did our driver follow the precautionary steps required when approaching a flashing red or yellow signal?

• At a blind corner, did our driver approach slowly, with a foot on the brake pedal?

• Did our driver make certain all other drivers were stopping for a traffic light or stop sign?

• Was our driver alert for the turns of other vehicles?

• Did our driver avoid overtaking or passing at the intersection?

• When our driver's signal changed to green, was the driver sure all cross traffic had stopped before proceeding?

• If the view of cross traffic was blocked by vehicles beside our driver, did our driver remain at a standstill until the view was clear?

• Did our driver signal a change in direction well in advance?

• Did our driver allow oncoming traffic to clear before making a left turn?

• Before turning left, did our driver turn and look to the rear for overtaking vehicles about to pass on the left?

• Did our driver turn from the proper lane?

• If in doubt, did our driver stop?

• Did our driver avoid depending on others obeying traffic signs and signals?

• Did our driver obey all traffic signs and signals?.

### **We Pulled From Parked Position**

• Did our driver look to the front and rear for approaching traffic immediately before pulling out?

• Did our driver look back, rather than depend upon the rear vision mirrors?

• Did our driver signal before pulling away from the curb?

• Did our driver start out only when an action would not require traffic to change its speed or direction in order to avoid our vehicle?

• Did our driver continue to glance back while pulling out?

### **We Hit Other in Rear**

• Did our driver adjust speed to the conditions of road, visibility and traffic?

• Was our driver maintaining a safe following distance, for conditions (a minimum of one car length per 10 mph; double for a wet or slippery roadway)?

• If a vehicle pulled in front of our vehicle, did our driver drop back and re-establish the proper following distance?

• Did our driver approach the green traffic light cautiously, expecting the driver ahead to stop suddenly on a signal change?

• Did our driver look ahead of the vehicle ahead for possible emergencies?

• Did our driver allow the driver ahead adequate space, before moving away from a complete stop?

• Did our driver drive on hills and curves at a speed that would allow stopping within the seeing distance?

### **We Backed**

• Was it necessary to back?

Did our driver have to park so close to the vehicle ahead that backing was necessary when leaving the parking space?

Was it necessary to drive into a narrow street, dead-end, alley or driveway from which backing resulted?

• If our driver could not see where to back:

Did the driver try to get someone as a guide?

Did the driver walk all around the vehicle before getting in?

Did the driver back immediately after walking around?

Did the driver use the horn while backing?

Did the driver look to the rear without depending on the rear vision mirrors?

If the distance was long, did the driver stop, get out, and look around occasionally?

Did the driver back slowly?

Did the driver judge his backing clearance accurately?

## **We Skidded**

- Was our driver traveling at a speed safe for the conditions of weather and road?
- Was our driver keeping a safe following distance?
- Was our driver expecting ice on and under bridges, in gutters, in ruts and near the curb?
- Was our driver alert for melted snow that freezes in the shade, on loose gravel, on sand, in ruts, etc.?
- Did our driver keep out of rail tracks, and cross them at a wide angle?
- Were our driver's steering and braking actions proper?

## **Pedestrian**

- Did our driver tap the horn to alert pedestrians of our vehicle approach?
- Did our driver pass through congested sections anticipating that pedestrians might step in front of the car?
- Did our driver keep as much clearance between our vehicle and parked cars as conditions permitted?
- Did our driver interpret pedestrians' next action or intention correctly before reaching "the point of no return"?
- Did our driver check the location of pedestrians before starting at a green signal?
- Did our driver give all pedestrians the right-of-way?
- Did our driver allow for pedestrians' possible inattention, indecision or defective eyesight or hearing?
- Did our driver refrain from passing vehicles that had stopped to allow pedestrians to cross?
- Did our driver refrain from passing a stopped school bus?
- Was our driver aware of groups of children, and prepared to stop in the event they ran suddenly into the street?
- Did our driver account for all children before starting up?
- Did our driver avoid driving over places where children sometimes play such as piles of leaves, large cartons, etc.?

- Was our driver alert for signs of children who might run into the path (balls rolling into street, etc.)?
- Did our driver look and make allowances for pedestrians when turning?
- Did our driver expect and allow for pedestrians who might step out from behind or in front of busses?
- Was our driver certain no pedestrian was behind before backing?
- Did our driver drive at a speed that would enable stopping within the range of the headlights?
- Did our driver take the vehicle out of gear when stopped at an intersection?

## **Sideswipe**

- If there was early indication of erratic driving by an on-coming driver, did our driver immediately begin evasive action?
- Did our driver slow down and drive to the extreme right side of the road and stop?

## **Other Hit Us While We Were Stopped or Parked**

- Did our driver properly signal intentions to stop?
- Did our driver avoid coming to a sudden stop?
- Was our driver parked on the proper side of the road?
- Was it necessary to park near an intersection?
- Did our driver *have* to park on the traveled portion of the highway, on a curve or on a hill?
- When stopped for an emergency, did our driver warn traffic with flasher lights, flags or flares?
- Did our driver park parallel to curb (where applicable)?
- Was it necessary to park close to an alley, directly across from a driveway or near a bus stop?