3-09/070.25 - Classifications of Damage to Department/Permittee Vehicles

For purposes of this section, a "collision" is defined as the unintentional striking or contact of any other object, e.g., another vehicle, stationary object, roadway dip, etc., with a Department/permittee vehicle which results in damage, injury, or death.

Defensive driving is defined as those techniques and concepts which emphasize awareness, control, and the use of proper evasive action to avoid or prevent a collision/incident. Defensive driving practices shall always be employed, and an operator shall avail himself of every reasonable means to avoid a collision/incident.

> **NOTE:** When the collision/incident is handled by the Traffic Collision Response Team, no assessment shall be done until the collision/incident is reviewed by the Commander's Executive Risk Review Committee.

An assessment shall be made by the watch commander/operations lieutenant after reviewing all reports, and a preliminary finding shall be determined for one of the following:

- Preventable - a collision/incident or work damage that occurred while the Department/permittee vehicle was being used while engaged in county business and such collision or work damage could have been prevented by the employee. The decision as to preventability of a collision or work damage 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 or work damage regardless of any legal rights (such as right-of-way at intersections) to which he/she may have been entitled pursuant to the vehicle code. The fact that the other driver may have committed a vehicle code violation is not of itself cause to justify a classification of non-preventable;

If a collision/incident or work damage resulted from a violation of the California Vehicle Code or Department policy on the part of the employee, the collision or work damage shall be classified as preventable;

> **NOTE:** Refer to sections 3-09/070.45, Corrective Action and 3-01/090.10, Operation of Vehicles for policy and procedures related to initiating corrective action for preventable collisions.

- Non-preventable - a collision/incident or work damage that occurred while the Department/permittee vehicle was being driven defensively or used in a reasonable, prudent manner and the employee had no opportunity to avoid the collision or work damage;

The classification of non-preventable shall not be used when the employee commits any violation of defensive driving practices, vehicle code sections, or Departmental policies;

- Work Damage - when damage occurred to the vehicle through causes other than a collision/ incident, vandalism is unknown or when damage occurred because of the requirements of the employee's work assignment;

The classification of work damage shall not be used for any incident involving a collision or incident with another vehicle, object, roadway dip, etc.

- Vandalism - when damage occurred to the vehicle through an intentional act of any person, whether the

vehicle is attended or unattended, e.g., prisoners kicking out windows, missiles hurled at vehicle, etc.

The classification of vandalism shall not be used for any incident involving a collision/incident;

- Unknown - when damage occurred to the vehicle wherein responsibility and/or cause cannot be determined and the event cannot be classified in one of the above categories. Every effort shall be made to determine the cause of a collision before using this classification.