

# Accident Review Committee

## Preventability Guidelines

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### **INTRODUCTION:**

This guide, while it is designed to assist in determining the preventability of accidents, cannot list every causal factor that may be involved in a given accident. It does cover the most common aspects of the principal causes of accidents and, as such, it can serve as a guide when considering preventability.

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### **STRUCK IN REAR BY OTHER VEHICLES:**

#### NON-PREVENTABLE IF:

1. Driver's vehicle was legally and properly parked.
  2. Driver was proceeding in own lane of traffic at a safe and lawful speed.
  3. 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.
  4. Driver was in proper lane, stopped and waiting to make turn.
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### **STRUCK WHILE PARKED:**

#### NON-PREVENTABLE IF:

1. Driver was properly parked in a location where parking was permitted.
  2. Vehicle was protected by emergency warning devices as required by federal and state regulations, or if driver was in process of setting out or retrieving signals.
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### **ACCIDENTS AT INTERSECTIONS:**

#### PREVENTABLE IF:

1. Driver failed to control speed so that he could stop within available sight distance.
  2. Driver failed to check cross-traffic and wait for it to clear before entering intersection.
  3. Driver pulled out from side street in the face of oncoming traffic.
  4. Driver collided with person, vehicle or object while making right or left turn.
  5. Driver, going straight through an intersection, collided with another vehicle making a turn.
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### **STRIKING OTHER VEHICLE IN REAR:**

#### PREVENTABLE IF:

1. Driver failed to maintain safe following distance and have vehicle under control.
  2. Driver failed to keep alert to traffic conditions and note slow-down.
  3. Driver failed to ascertain whether vehicle ahead was moving slowly, stopped or slowing down for any reason.
  4. Driver misjudged rate of overtaking.
  5. Driver came too close before pulling out to pass.
  6. Driver failed to wait for car ahead to move into the clear before starting up.
  7. Driver failed to leave sufficient room for passing vehicle to get safely back in line.
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### **SIDESWIPE AND HEAD-ON COLLISIONS:**

PREVENTABLE IF:

1. Driver was not entirely in the proper lane of travel.
2. Driver did not pull to the right and slow down and stop for vehicle encroaching on own lane of travel when such action could have been taken without additional danger.

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### **STRUCK IN REAR BY OTHER VEHICLE:**

PREVENTABLE IF:

1. Driver was passing slower traffic near an intersection and had to make sudden stop.
2. Driver made sudden stop to park, load or unload.
3. Driver's vehicle was improperly parked.
4. Driver rolled back into vehicle behind.

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### **SQUEEZE PLAYS AND SHUTDOWNS:**

PREVENTABLE IF:

1. Driver failed to yield right-of-way to avoid an accident.

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### **BACKING ACCIDENT:**

PREVENTABLE IF:

1. Driver backed vehicle, causing accident, when such backing could have been avoided.
2. Driver failed to get out of vehicle and check proposed path of backward travel.
3. Driver failed to use a "spotter" if driver was in a position where the mirrors failed to show hazard.

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### **ACCIDENT INVOLVING STREETCAR OR TRAIN:**

PREVENTABLE IF:

1. Driver attempted to cross tracks directly ahead of train or streetcar.
2. Driver ran into side of train or streetcar.
3. Driver stopped on or parked too close to tracks.

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### **ACCIDENTS WHILE PASSING:**

PREVENTABLE IF:

1. Driver passed when view of road ahead was obstructed by hill, curve, vegetation, traffic, adverse weather conditions, etc.
  2. Driver attempted to pass in the face of closely approaching traffic.
  3. Driver failed to warn the driver of the vehicle being passed.
  4. Driver failed to signal change of lanes.
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5. Driver pulled out in front of other traffic overtaking from rear.
  6. Driver cut-in short returning to right lane.
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**ACCIDENTS WHILE BEING PASSED:**

## PREVENTABLE IF:

1. Driver failed to stay in own lane, or hold or reduce speed to permit safe passing.

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**ACCIDENTS WHILE ENTERING TRAFFIC STREAM:**

## PREVENTABLE IF:

1. Driver failed to signal when pulling out from curb.
2. Driver failed to check traffic before pulling out from curb.
3. Driver failed to look back to check traffic if driver was in position where mirrors did not show traffic conditions.
4. Driver attempted to pull out in a manner which forces other vehicle(s) to change speed or direction.
5. Driver failed to make full stop before entering from side street, alley or driveway.
6. Driver failed to make full stop before crossing sidewalk.
7. Driver failed to yield right-of-way to approaching traffic.

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**PEDESTRIAN ACCIDENTS:**

## PREVENTABLE IF:

1. Driver did not reduce speed in area of heavy pedestrian traffic.
2. Driver was not prepared to stop.
3. Driver failed to yield right-of-way to pedestrian.

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**MECHANICAL DEFECTS ACCIDENTS:**

## PREVENTABLE IF:

1. Defect was of a type which driver should have detected in making pre-trip or enroute inspection of vehicle.
2. Defect was a type which driver should have detected during normal operation of the vehicle.

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**ALL TYPES OF ACCIDENTS:**

## PREVENTABLE IF:

1. Driver was not operating at a speed consistent with the existing conditions of the road, weather, and traffic.
2. Driver failed to control speed to be able to stop within assured clear distance.
3. Driver misjudged available clearance.
4. Driver failed to yield right-of-way to avoid accident.
5. Driver failed to accurately observe existing conditions and drive in accordance with those conditions.
6. Driver was in violation of company operating rules or special instructions, the regulations of any federal or state regulatory agency, or any applicable traffic laws or ordinances.

While evidence of a violation of the law is a clear-cut indication of the preventability of an accident, the absence of any violation does not make the accident non-preventable. There are many steps that the driver can take to avoid an accident which are beyond the requirements of the law. The Accident Review Committee must determine whether the driver could have reasonably taken other actions which would have avoided the accident.

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