

Rapid Response to Catastrophic Accidents



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The Call....

Emergency Response Guidelines Pre-Accident

- Pre-Accident Driver Training
- Pre-Accident Claims Manager Duties
- { Accident report
- Take Care of the Driver
- Document Collection
- Accident Resource Manual



{ Driver Training

Ensure that drivers are properly trained and equipped for handling an accident.

Ensure drivers are familiar with policies and procedures concerning responding an accident.

- Instructions-what does the driver do if involved in an accident,
- Reporting the accident-who does the driver report to,
- Completing the accident report paper work-this will help the driver collect the necessary information,
- Responding to the media,
- Dealing with fuel spills,
- Photography-what to photograph and what not to photograph,
- Placement of warning devices-when to set them up, and how.

Ensure drivers are equipped with the proper tools/materials to handle an accident properly.

- Accident instructions/procedures,
- Camera,
- Accident report paper work.



{ October 2014 Monroe Tornado Damage

Claims Manager Training

Claims procedure manual, the manual should address:

- a) Assigning adjusters,
- b) Hiring attorneys,
- c) Post-accident drug/alcohol testing,
- d) Notifying the Third Party Administrator,
- e) Notifying the Insurance Company,
- f) Cleaning up hazmat/fuel spills,
- g) Documents/records to be retained,
- h) Hiring accident reconstruction professionals.

Maintain a network of emergency response personnel such as adjusters, attorneys; environmental clean-up personnel, reconstruction professionals.

Ensure network of professionals can be contacted 24 hours a day, and that they are aware you may contact them any hour of the day.



Take Care of Your Driver

Collection of Documents

- a) Drivers logs for the past 30 days
- b) Equipment Inspection Reports
- c) Dispatch/Trip Records
- d) Payroll Records for the past 30 days
- e) Maintenance Records for tractor
- f) Maintenance Records for trailer
- g) Driver qualification file
- h) Technical information available from tractor
- i) All accident file documentation
- j) Photographs
- k) Statements
- l) Communications records
- m) Drug/Alcohol Test Results
- n) Traffic Citations
- o) Weight Tickets
- p) Toll Receipts
- q) Fuel Receipts
- r) Bills of Lading

Accident Resource Manual

1. Employee Contacts: Provide a list of trucking company employee contacts (in call order); with at least one alternate contact.
2. Attorney and Expert Contacts: For every area of the Country in which the trucking company operates, maintain a list of attorneys, investigators, accident reconstruction experts, and criminal defense attorneys.
3. Vendor Contacts: For every area of the Country in which the trucking company operate; maintain a list of specialized accident assist vendors, including a hazmat company, an adjuster, a tow company, and a medical testing laboratory.
4. Incident Report Form
5. Safety Regulations: Include a current copy of the Federal Motor Carrier Safety Regulations handbook.



Post Accident Response

Emphatic/Empathic Approach
Document Retention
Spoliation Issues
Accident Investigation Team



Accident Investigation Team

- a. Professional Investigator
- b. Accident Reconstruction Expert
- c. Attorney
- d. Other Technical Experts
 - 1. ECM Issues
 - 2. Conspicuity Issues
 - 3. Human Factors



Initial Contact

- a. Truck Driver to Trucking Company
- b. Trucking Company to Counsel
- c. Counsel to Accident Investigation Team



On-Site Investigation – Attorney

- a. Contact with driver
- b. Contact with investigating officers
- c. Contact with other investigators
- d. Contact with witnesses
- e. Contact with team



On Site Investigation – Investigator

- Photograph
- Videotape
- Document
- Secure
- Identify



On Site Investigation — Expert

- a. Photographs (as discussed above)
- b. Obtain detailed information regarding the vehicles
- c. Secure any damaged vehicle parts (lights, bumpers) for analysis
- d. Measurements
- e. Determine if weather played a role in the accident
- f. Determine if road conditions played a role in the accident
- g. Determine if traffic control device played a role in the accident
- h. Videotape of scene, approach or other significant detail



Subsequent Investigation

- a. Obtain obituaries
- b. Obtain accident reports and photographs
- c. Obtain all citations
- d. Determine if truck driver has submitted to alcohol and drug testing (if applicable)
- e. Secure documentary evidence
- f. Secure electronic data





Expectations of Team Members

Courtesy of Keith Dunlap of National Transportation Adjusters – Phoenix, AZ

Dispatcher
Driver
Field Adjuster
Accident Reconstruction Expert
Defense Attorney





A. Differing Functions of FMCSA and NTSB

B. Differing Powers and Procedures

C. Responding to FMCSA and NTSB

NTSB Involved?

Mobile Rapid Response & Checklists

- A. Who Should Use it?
- B. Limitations of Mobile Rapid Response
- C. When to Use it?
- D. How to Use it?
- E. What End-User Gets

This section is password protected, but it may be used by permission by anyone in the trucking or insurance industries who need access to essential information from a major or catastrophic accident anywhere in the United States. We have made this information user friendly, through the use of buttons with options and dropdown features, for truck drivers, field adjuster and even for an attorneys.

The location may be pin-dropped. Pictures can be downloaded immediately and contact information of witnesses can be preserved.

It is NOT designed to replace field adjusters, accident reconstruction experts or attorneys being on site. It is not an exhaustive checklist for a thorough investigation and preservation of evidence, but it's mobile friendly and designed as tool for quick collection of confidential and time-sensitive data.

Lastly, this can be used by anyone and may be sent to whomever you choose. It is not a marketing tool for information to be sent to our firm. There are dropdown e-mails directed to attorneys with the Perkins firm, but you can also input another email for use by another law firm, expert or field adjuster.

Interactive Demonstration

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Questions ?

Answers?

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The image features a dark blue background with two large, overlapping, glowing spheres. The text 'Questions ?' and 'Answers?' is written in a yellow, serif font. The Perkins & Associates logo is centered in a dark green box, containing the firm's name, 'ATTORNEYS AT LAW', and regional information: 'NORTH LOUISIANA EAST TEXAS' with small icons of Louisiana and Texas, and the website 'WWW.PERKINSFIRM.COM'.