

ADMINISTRATIVE PROCEDURE

VEHICLE ACCIDENT REVIEW COMMITTEE

2806

Procedure No.

February 1, 2021

Date

I. **PURPOSE:** To provide procedures for reviewing accidents involving Prince George's County Public Schools (PGCPS) buses and vehicles.

II. **POLICY:** The Board of Education is committed to delivering safe and efficient transportation services to eligible student riders. (Policy 3541) The Board of Education also requires the proper and responsible use of vehicles by its employees to ensure their safety and the safety of others. (Policy 3545).

III. **BACKGROUND:** One of the goals of PGCPS is to reduce the number of vehicle accidents. An Accident Review Committee, which will provide a systematic review of accidents in an attempt to prevent recurrence of accidents, is integral to this effort to ensure safe operation and minimize financial loss.

IV. **DEFINITIONS:**

A. Accident - Any incident in which a PGCPS school vehicle or assigned vehicle comes into contact with another vehicle, person or object which results in death, personal injury or property damage regardless of who was hurt, what property was damaged or to what extent, where it occurred, or who was responsible.

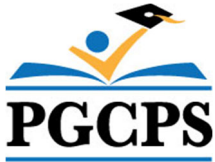
B. Accident Review Committees - The function of an Accident Review Committee is to review traffic accidents involving PGCPS school vehicles and assigned vehicles to determine whether the accident was preventable based on the Maryland State Department of Education (MSDE) guidelines for individuals serving on local accident review committees.

C. Appreciable damage – Property damage in excess of \$3000.

D. Assigned Vehicles - Vehicles that are allocated by Central Garage Services(CGS) to Departments within PGCPS and are dispatched/assigned and controlled by those Departments

E. Authorized User – For purposes of this Administrative Procedure:

1. Authorized Users are employed by PGCPS as full-time, part-time, seasonal, or contractual employees, authorized to drive Board vehicles;
2. Authorized Users must possess a valid driver's license issued by the user's state or territory of residence within the United States of America; and
3. Authorized Users must operate only a class of vehicle for which he or she has



ADMINISTRATIVE PROCEDURE

VEHICLE ACCIDENT REVIEW COMMITTEE

2806

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been approved in accordance with their driver’s license and assigned by their Department.

F. Central Garage Services (CGS) – A unit within the PGCPS Department of Transportation responsible for managing the PGCPS fleet and related equipment.

G. Preventable Accident - An accident in which the driver failed to do everything the driver reasonably could have done to prevent it. The driver did not exercise defensive driving and committed driving errors and/or did not make allowances for the lack of skill of improper driving practices of other drivers.

H. School Vehicle - Any motor vehicle that is used regularly for the exclusive transportation of children, students, or teachers for educational purposes or in connection with a school activity.

V. PROCEDURES:

A. When a PGCPS vehicle is involved in an accident, the driver of a school vehicle or an assigned vehicle is responsible for submitting a completed Driver’s Report of Vehicle Accident, police reports, and supplemental information as outlined in Administrative Procedure 2805.5. This information is to be given to driver’s immediate supervisor, who in turn forwards it to the Risk Management Office and the Accident Accountability Clerk in the Transportation Communications Office.

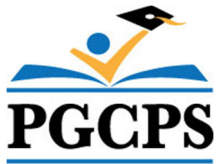
B. Each accident involving a PGCPS school vehicle or an assigned vehicle will be reviewed by the Accident Review Committee.

C. The Accident Review Committees

There will be two separate Accident Review Committees. One Committee will review accidents involving school vehicles and the other committee will address accidents involving assigned vehicles. The chairperson of each Accident Review Committee will be responsible for keeping and maintaining a record of all proceedings, decisions rendered and the reasons for the decisions.

1. Accident Review Committee for School Vehicle Accidents

a. The Accident Review Committee for School Vehicle Accidents will consist of: A five (5) member committee composed of a chairperson serving as secretary, a



ADMINISTRATIVE PROCEDURE

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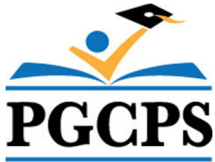
February 1, 2021

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supervisory person, a driver trainer from the Transportation Department, a driver with five (5) years of experience and a good driving record, and a union representative.

b. The Committee will:

- i. Meet monthly; location and time to be designated by the Director of Transportation.
 - a) The Committee shall not meet unless a quorum of four (4) members are present.
 - b) A majority of the total membership of the Committee shall constitute the committee's findings.
- ii. Summon drivers involved in recent accidents to appear before the Committee to describe the accident and will accept information from persons who have witnessed the accident and have knowledge of the accident.
- iii. Upon conclusion of the review/and presentation of the facts, ask the driver to retire from the room while the Review Committee deliberates the case.
- iv. Determine whether the accident is "preventable" based on whether or not, in the Committee's opinion, the accident could have been prevented using Maryland State Department of Education guidelines as outlined in "Determining Preventability of School Bus Accidents."
- v. Recall the driver before the committee and inform him/her of the Committee's decision, and what action he/she could have taken to prevent the accident.
- vi. Provide the decision in writing within five (5) working days of the Committee's oral communication to the driver, with a copy thereof to be furnished to the driver, the director of the department to which the driver is assigned, a copy to the Employee Labor Relations Office (ELRO) and a copy to be filed in the driver's personnel file.



ADMINISTRATIVE PROCEDURE

VEHICLE ACCIDENT REVIEW COMMITTEE

2806

Procedure No.

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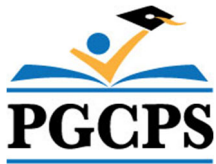
Date

- vii. In accordance with the Code of Maryland Regulations (COMAR), a school vehicle driver who has had two (2) preventable accidents involving personal injury or appreciable damage in a 24-month period may not operate a school vehicle for a period of 5 years from the date of the last accident.
- viii. In accordance with COMAR, a school vehicle driver who has had more than two (2) preventable accidents involving personal injury or appreciable damage in any 24-month period is permanently disqualified from operating a school vehicle in Maryland.
- ix. Following the Accident Review Committee's decision, if the driver wishes to appeal the decision that resulted from the committee's findings, the employee may do so by writing within ten (10) days to the Director of the department to which the employee is assigned.

If the employee receives an adverse decision in writing from the Director, the employee may file a further appeal in writing within ten (10) days to the Chief Executive Officer (CEO) or Designee.

2. Accident Review Committee for Assigned Vehicles Accidents

- a. The Accident Review Committee for Assigned Vehicles Accidents will consist of a five (5) member Committee composed of supervisory persons from each of the following departments – Maintenance, Security Services, and Transportation, of which one supervisor serves as a chairperson and one serves as a secretary; an authorized user with five (5) years of experience and a good driving record, and a union representative.
- b. The Committee will:
 - (1) Meet quarterly; location and time to be designated by the chairperson.
 - i. The Committee shall not meet unless a quorum of four(4) members are present.
 - ii. A majority of the total membership of the Committee shall constitute the Committee's



ADMINISTRATIVE PROCEDURE

VEHICLE ACCIDENT REVIEW COMMITTEE

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findings.

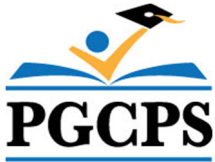
- (2) Accept information from persons who have witnessed the accident and have knowledge of the accident.
 - (3) Upon conclusion of the review/and presentation of the facts, ask the authorized user to retire from the room while the Review Committee deliberates the case.
 - (4) Determine whether the accident is “preventable” based on whether or not, in the Committee's opinion, the accident could have been prevented using Maryland State Department of Education guidelines as outlined in "Determining Preventability of School Bus Accidents."
 - (5) Recall the authorized user before the committee and inform him/her of the Committee’s decision, and what action he/she could have taken to prevent the accident.
 - (6) Provide the decision in writing within five (5) working days of the Committee’s oral communication to the authorized user with a copy thereof to be furnished to the authorized user, to the director of the department of which the authorized user is assigned, a copy to the ELRO, and a copy to be filed in the authorized user’s personnel file.
- D. Following the Accident Review Committee's decision, if the authorized user wishes to appeal the decision that resulted from the committee's findings, the employee may do so by writing within ten (10) days to the Director of the department to which the employee is assigned.

If the employee receives an adverse decision in writing from the Director, the employee may file a further appeal in writing within ten (10) days to the Chief Executive Officer (CEO) or Designee.

VI. MONITORING AND COMPLIANCE:

The chairperson of each Accident Review Committee will be responsible for:

- A. Keeping and maintaining a record of all proceedings, decisions rendered and the reasons for the decisions; and
- B. Providing written notification of any adverse Committee findings to the Employee



ADMINISTRATIVE PROCEDURE

VEHICLE ACCIDENT REVIEW COMMITTEE

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and Labor Relations Office and Human Resources Department, as appropriate.

VII. LEGAL REFERENCES:

COMAR 13A.06.07.01; COMAR 13A. 06.07.07 E. (3),(4),(5) & (6); COMAR 13A.06.07.21

MSDE Guidelines - "Determining Preventability of School Bus Accidents."

VIII. RELATED PROCEDURES: Administrative Procedure, 2805.5, Vehicle Accident Reporting; Administrative Procedure, 3545, Board Authorized Vehicles by Employees

IX. MAINTENANCE AND UPDATE OF THESE PROCEDURES: This Administrative Procedure will be reviewed annually in August of each year by the Vehicle Accident Review Committee for modification and/or revision.

X. CANCELLATIONS AND SUPERSEDURES: This Administrative Procedure cancels and supersedes Administrative Procedure 2806, dated September 1, 2004.

XI. EFFECTIVE DATE: February 1, 2021

Attachment: Preventability of Accidents