

Hazcom Program

Emerging Technologies: Bendix® Wingman® Fusion™

What's So Great About Walking in a Winter Wonderland Anyway?

Stay alert FOR ANIMALS

PROTECTI

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After reading this issue of Shield, we want to hear from you! Do you have a useful resource for educating your drivers that our readers

should know about? Are there topics you'd like to see addressed in future issues? Send your feedback and ideas to **shield@protectiveinsurance.com**.



You can view every past issue of *Shield/The Quill* online at **protectiveinsurance.com/shield-archive**. To request additional hard copies of a particular issue, email your name, company name and address to **shield@protectiveinsurance.com**.



Claims + Safety Seminar 2018 Recap

Protective Insurance hosted its annual Claims + Safety Seminar Oct. 3 & 4 in Indianapolis. The event featured a variety of sessions designed to motivate, educate and inspire safety professionals in our industry.

The keynote session, Getting to the Next Level of Safety Performance, was presented by Bob McCall. It focused on providing leadership to change your organization's safety culture. McCall is a 33-year veteran of the utility industry. He retired from Duke Energy as General Manager of Fleet Services, where he was responsible for managing more than 13,000 vehicles, and mobile equipment valued at more than \$600 million, operating in six states with 58 locations.

Helen Van Dam with Truckers Against Trafficking spoke about the Freedom Drivers Project. The mobile exhibit is designed to educate the trucking industry about sex trafficking and the role they can play in combating this modern-day slavery. The exhibit was present for all to tour after the afternoon's sessions.

Emily Whitcomb from the National Safety Council spoke about the impact of fatigue on the workplace and shared some startling facts. A National Transportation Safety Board study found that fatigue was a factor in 40 percent of highway crashes and a National Sleep Foundation study found that 37 percent of drivers admitted to falling asleep behind the wheel. She explained how fatigue affects workers and how we can manage fatigue risk.

Thursday kicked off with John Pion and Timothy Smith with Pion, Nerone, Girman, Winslow and Smith, P.C. They spoke about preparing for depositions. A proper strategy can increase credibility and set the foundation for the best results. The final two sessions targeted technology. Sam Faucette of Old Dominion Freight Line, Inc. spoke on adapting and integrating technology into your fleet. He gave guidance on determining which type of data are best suited for predicting driver behaviors. The last session of the seminar was a vendor panel discussion that featured representatives of First Advantage, Idelic Safety Suite, Impact Solutions, Lytx and SuperVision. Guests were able to ask questions and receive a candid response from each panelist.

Thank you to everyone who attended and helped to plan this interesting and educational event!

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Notes on proper — and improper — use of personal conveyance under ELDs

By: James Jaillet | July 25, 2018

For drivers intending to use the hours of service's personal conveyance provision under the electronic logging device mandate, particularly in light of the U.S. DOT's late-May decision to provide some flexibility to use personal conveyance mode to find safe parking, two key elements must apply, says Joe DeLorenzo, head of enforcement for the Federal Motor Carrier Safety Administration.

One, the driver must be off duty and, two, the movement of the vehicle must be for personal purposes only, said DeLorenzo in a webinar held Tuesday by ELD supplier EROAD. There's confusion "about whether it's another line or whatever" on drivers' logs, he said, "but in this case it's important to know a driver has to be off duty, and that's where the whole determination as to whether it's legitimate personal conveyance starts. Because we're focusing on the intent of the movement, whether the vehicle is loaded or unloaded doesn't particularly matter."

The agency in late May announced it would allow drivers to enter into personal conveyance status to find the nearest safe location to park or rest should their hours be exhausted by detention at a shipper or receiver. Personal conveyance status has been in place since 1998, said DeLorenzo, "but it has come more to light with the implementation of ELDs. We realized we needed to do some additional guidance," he said Tuesday. The agency also said it would allow drivers to use personal conveyance status if they need to move at the direction of a law enforcement officer. He provided a few examples of proper use of personal conveyance, and examples of improper use.

The information in these articles was obtained from various sources. While we believe it to be reliable and accurate, we do not warrant the accuracy or reliability of the information. These suggestions are not a complete list of every loss control measure. The information is not intended to replace manuals or instructions provided by the manufacturer or the advice of a qualified professional. Protective Insurance makes no guarantees of the results from use of this information. We assume no liability in connection with the information nor the suggestions made.

Drivers commuting to and from work can use personal conveyance status, he said, which do not count against a drivers' 14-hour on-duty time or their 11-hour drive time. However, a driver under dispatch leaving home en route to a load is considered on duty, he says, and therefore cannot use personal conveyance. "If you stop at the yard the night before and picked up the load and brought it home and you travel to your point of destination from there" — that's all on-duty time, DeLorenzo said. "Operating at the direction of a motor carrier is not considered to be off duty."

A driver who is forced away from a shipper but is over hours can use personal conveyance status "purely to go to a safe location to get rest," he said. "It doesn't matter what direction, it may be proceeding in the same direction as the load. That's OK as long as it is the nearest safe location where you can get rest after those hours expire. That is a new piece to this guidance that will be helpful to a lot of folks trying to address situations that come up at the last minute."

Drivers using personal conveyance status in these scenarios will need to annotate their logs to note the reason for the move to make clear to enforcers that it was personal conveyance to find a place to park and rest.

"On the flip side," DeLorenzo noted, "any movement to enhance operational readiness" should be recorded as on-duty time. "Is the purpose [of the move] to get the load closer to where it needs to be? You can't bypass rest areas to keep going and get further along," he said. "If your 11 hours expire and you're going to a rest area continuing in your direction, you can't use it to extend your day. That's not considered personal conveyance."

Likewise, driving bobtail or with an empty trailer to retrieve a load is on-duty driving time, as is heading back to a terminal or yard after dropping a load. Trips for maintenance or for fueling are also on-duty.

To annotate personal conveyance use, drivers can either select the personal conveyance mode on their ELD (devices are required to have a personal use function) or simply log out and then annotate the beginning and end of their personal conveyance time.

Personal conveyance status does not exempt carriers or drivers from other regulations, said DeLorenzo. Drivers are still required to take their 10-hour break (from which personal conveyance draws) and are still required to adhere to all equipment standards.

Article reprinted with permission from Overdrive.



<text>

By: Dennis Shinault

Believe it or not, this is a response provided by a company we recently prospected. This company is not alone. Similar comments and OSHA unawareness are routinely the case with motor carriers at no real fault of their own. Motor carriers are naturally focused on FMCSA Compliance and vehicle safety performance, with general workplace safety and OSHA knowledge being secondary. Even though most don't realize it, vehicle safety practices are off to a great start to OSHA compliance and reducing worker injuries and fatalities because they reduce exposures to vehicle collisions. Even though it is off to a great start, it is just a very small beginning to OSHA compliance.

Despite the fact that FMCSA and OSHA are concentrated on regulatory issues and safety, both have distinctly different focuses that take specialized training, knowledge, and expertise to identify and correct hazards. There are numerous motor carrier safety conferences offered to help you gain the experience for vehicle safety and compliance with many having curriculums that are centered on your specific operations. Therefore keeping on top of continuing education for reducing vehicle crashes is relatively easy. When it comes to OSHA, many safety directors may learn OSHA compliance the hard way, when OSHA knocks on the door and says, "Hello, I am from OSHA and I am here to help." This is not the time to be going through "on the job training."

The early stages of the audit will start with a review of the OSHA 300 and 301 logs. OSHA will request these documents almost immediately to identify loss trends so they can make a quick evaluation of where some of the problem areas may be. Do not be surprised if they also ask to review work comp insurance loss runs. In the long run, they will be looking to determine what initiatives you have established to address your exposures and will evaluate if these measures are effective.

One of the next steps will be for them to conduct a walk through OSHA inspection. This is where many motor carrier safety directors become aware of numerous OSHA workplace regulations. Being a motor carrier, the first area for their inspection will most likely be the maintenance shop and any of its peripheral operations. Finding violations in a maintenance shop is similar to FMCSA reviewing driver logs; these are both areas that have a great deal of activity and it is easy to find violations, many of which can carry very expensive fines. Violations can occur with items such as: emergency exits; fire prevention; slips/trip and fall hazards; overhead load storage capacity: jack and jack stand capacities: electrical violations: emergency eye and shower washes; sanitation; flammable material storage; welding and torch cutting; personal protective equipment; machine guarding; safety data sheets; first aid; and the hazard communication program. These generalized areas are just the tip of the iceberg for the areas they will be inspecting. There are numerous regulations and ANSI Standards associated with each of these that your facility will be evaluated against, not to mention the General Duty Clause which is a catch-all for a safety exposure that is likely to cause injury or death for which no specific regulation exists. Even tools and equipment that are personally owned by mechanics can and will be part of the inspection. These too can be included in the OSHA list of violations with fines attributable to them. Other areas of the property will be audited as well such as the general office and grounds. These areas carry their own exposures. Safety and executive management may not recognize these exposures without proper OSHA training.

An OSHA inspection can occur at any time, announced and unannounced. They can also occur because of a recent injury, illness, valid complaint, or fatality. Just like FMCSA audits, OSHA may also visit your company because you were randomly selected or because you were due for an inspection. Regardless of the reason, work with them, cooperate with them, and learn from them.

OSHA compliance can no longer be a secondary responsibility for safety or executive management. Even though your company may have very few or even no workplace injuries, OSHA will still make you accountable for any violations they find.

SO WHERE CAN YOU RECEIVE HELP AND TRAINING?

- OSHA has a Voluntary Protection Program where they will come and conduct a regular OSHA inspection of your company and provide you guidance and training along the way. This program is designed to help you make safety corrections in a controlled format versus an official inspection that carries fines. Contact your local OSHA office for details and visit the OSHA website at www.osha.gov.
- There are several organizations that are approved to conduct OSHA compliance training for 10- and 30-hour courses. The 30-hour course is recommended because it provides the detail that you will need. At a minimum, those that should be considered to receive this training include the maintenance or shop manager, safety director, and safety committee members.
- Many states have safety council organizations that focus on OSHA and workplace safety. They may have regular training programs and annual conferences where you can learn and polish OSHA skills.
- The National Safety Council (NSC) has numerous training resources plus an annual conference that will provide you with training and resources regarding most areas of loss exposure with your company. Even if a session does not directly address motor carrier workplaces, much of the material and presentations can be easily applied to your environment. The NSC also has a Transportation Safety Division comprised of safety professionals from all across the country who are eager to network with you and share their expertise to help prevent workplace and vehicle crash injuries. NSC also focuses on Community Safety which helps to prevent injuries to workers while they are off duty which helps prevent employee absenteeism.
- There are also numerous credible safety training resource companies that have quality training and OSHA reference products.
- Leverage the knowledge and skills of your workers' compensation insurance carrier.

Take advantage of any workplace safety training you can attend to help you round out your safety profession. Encourage your state and industry motor carrier associations to include workplace safety in their regular training sessions. OSHA compliance is not really complicated, but it is comprehensive.

In addition to having safety training for your drivers, provide safe worker training for all of your employees to keep them safe on the job regardless if they work in the maintenance shop or the office.

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STAY ALERT FOR ANIMALS!

In many parts of the United States, the fall season brings cooler temperatures, changing colors, and thoughts of football. Fall also brings an increase in the number of crashes with deer.

ccording to the Insurance Institute A for Highway Safety (IIHS), fall brings a sharp rise in insurance claims related to collisions with animals, mainly deer, in many parts of the country. Animal-strike claims peak in November and then drop off in December and January. The high claim period coincides with deer mating season when bucks are on the prowl.

Large trucks are at great risk. Truck braking capability can be a factor in that loaded tractor-trailers take 20 – 40 percent farther than cars to stop. The discrepancy is greater on wet and slippery roads – a common condition in fall.

The IIHS reports that deer are struck in three out of every four animal-vehicle crashes. An estimated 1.5 million deervehicle crashes occur each year in the U.S., resulting in approximately \$1.1 billion in vehicle damage. The cost to society for human injuries and fatalities resulting from all animal-vehicle collisions is at least \$200 million each year.

"DRIVING TOO FAST FOR CONDITIONS, OVERDRIVING HEADLIGHTS, AND NOT BEING ALERT FOR THE PRESENCE OF ANIMALS ARE THE PRIMARY MISTAKES LINKED TO ANIMAL-**RELATED COLLISIONS.**"



Crashes with deer and other animals occur most frequently in rural areas, on roads with 55 mph or higher speed limits, and in darkness or at dusk or dawn.

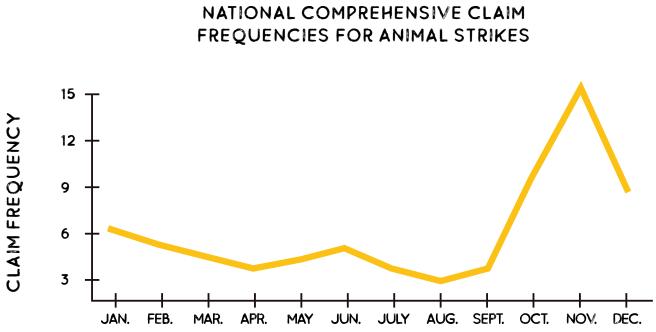
From 2007 - 2016, the states with the highest numbers of deer-related crash deaths were:

> **TEXAS - 187** WISCONSIN - 123 MICHIGAN - 99 PENNSYLVANIA - 98 MINNESOTA - 65 **OHIO - 65**

From 1975 to the mid-2000s there was a general upward trend in deaths from collisions with animals, but this trend has leveled off in the past few years. These deaths increased from 89 in 1975 to 223 in 2007 and then declined to 189 in 2016. the last year for which data is available.

Driving too fast for conditions, overdriving headlights, and not being alert for the presence of animals are the primary mistakes linked to animal-related collisions. Highway safety experts say the best ways to avoid collisions with deer and other animals on the roadway is to slow down at night and be vigilant at all times to the possible presence of animals, especially in areas where animal warning signs are posted. All drivers need to be especially alert for animals on the roadways during dusk and dawn and hours of darkness.

Use the poster in this edition to help remind others of the importance of being alert for animals!





MOTOR VEHICLE CRASH DEATHS IN COLLISIONS WITH ANIMALS

Rapid changes in technology are impacting trucking and transportation and changing the way we do business. In upcoming issues of "Shield" we will be highlighting some of these technologies – especially those that improve safety.

The real benefit of Wingman Fusion's approach can be fully understood when combining its complementary technologies. Not only does the system use multiple sensors to confirm objects. The sensors use different technologies. So, when they agree, the result is even further reduction of false alerts or activations. This combination of complementary sensors makes possible much of Wingman Fusion's advanced functionality.

POWERFUL NEW FEATURES FOR ADVANCED SAFETY

Bendix Wingman Fusion's technical advances and deep integration delivers a powerful combination of robust features including Stationary Vehicle Braking and Overspeed Alert & Action.

Stationary Vehicle Braking (SVB) is possible because the system uses BOTH radar and camera data to confirm the vehicle ahead. With an activation speed above 15 mph, here is how this dynamic feature works: When the large, stationary, metallic object in a vehicle's lane of travel is definitively identified as a licensed motorized vehicle, the driver is notified up to 3.5 seconds before impact. If the driver does not take action to address the potential impact that caused the alert, Wingman Fusion can automatically engage the brakes to assist the driver in reducing the severity of or potentially avoiding a collision with the stationary vehicle.

If the system cannot definitively identify the stationary object as a licensed motorized vehicle, the driver will get up to 3.0 seconds of alert to address the situation ahead; no automatic braking will be applied. Stationary Vehicle Braking is most useful when approaching a line of stopped traffic or a stalled vehicle that is not immediately recognized by the driver. Without the automatic alert and braking, it may be too late to avoid impact. As always, responsibility for the safe operation of the vehicle remains with the driver at all times.

Overspeed Alert & Action – an exclusive Bendix feature – uses Wingman Fusion's camera to read most roadside speed limit signs. On the road, when traveling above 20 mph, the system compares the posted speed limit with the vehicle's speed and provides two levels of alert and/or intervention to assist the driver.



Bendix[®] Wingman[®] Fusion[™] integrates next-generation advanced safety technologies (radar, camera, brakes, and SafetyDirect[®]) into one comprehensive driver assistance system that's more powerful than other safety system technology combinations in the North American commercial vehicle marketplace today.

Bendix Wingman Fusion is built on proven technologies from Bendix. Wingman Fusion gathers input from radar, video, and the brake system to create a highly detailed and accurate data picture. Data from its next-generation radar, camera, and brake system are fused to each other – constantly gathering, sharing, and confirming information.

(continue reading, pg. 11)

For a Level One intervention - initially set at +5 mph - the system provides an audible warning to the driver notifying them to slow down. If the vehicle is traveling at 10 mph or more over the speed limit – known as a Level Two intervention - the system provides an alert and then a 1- second dethrottle of the engine to get the driver's attention.

In addition, for Level Two, a severe event notification is sent wirelessly through SafetyDirect - if your fleet is a subscriber - to be analyzed by a fleet's back office for possible training. Both Level One and Level Two speed thresholds are customizable by the fleet using Bendix ACom diagnostics.

IMPROVED PERFORMANCE OF EXISTING SAFETY FEATURES

ENHANCED COLLISION MITIGATION

Bendix Wingman Fusion is also able to enhance the tried-and-true cornerstone feature of today's Wingman Advanced system - collision mitigation. When triggered by a slower moving, or standing, vehicle ahead, Wingman Fusion's combined video, radar, and brake system generate a faster analysis of the situation. During a potential collision situation, this allows Wingman Fusion to potentially reduce the vehicle's speed up to twice as much as our current system.

In addition, a backup plan is in place if the camera becomes inoperable due to damage or an active Diagnostic Trouble Code (DTC). If that happens, Wingman Fusion is "smart" enough to revert to Wingman Advanced functionality, including collision mitigation.

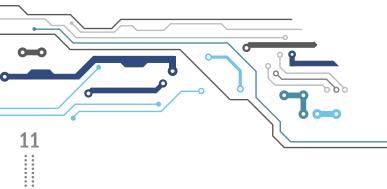
ALERT PRIORITIZATION

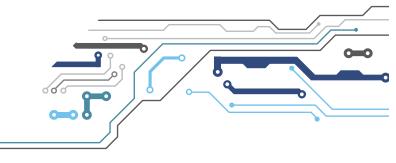
Alerts are also improved. Wingman Fusion's abundance of input data and powerful computing significantly minimize false alerts. And Wingman Fusion adds a new feature: alert prioritization. In the event that multiple system alerts are needed simultaneously, such as lane departure warning and impact alert. Wingman Fusion will arrange them in order of importance and deliver only the most crucial alert to the driver to minimize potential distraction.

COMPREHENSIVE ALERTS

Following Distance Alerts and Lane Departure Warning are also part of Wingman Fusion. Both features alert the driver to potentially hazardous situations. When driving too close to the forward vehicle, the system will sound an alert and display visual graphics to alert the driver to back off. As with Wingman Advanced, when the gap with the forward vehicle is growing, the FDA is silent.

The FDA is customizable by the fleet to allow for varying fleet operating environments. In addition, if the vehicle unintentionally departs the lane without the turn signal activated, the system will also sound a lane departure warning. This can be particularly valuable to help the driver mitigate run-off-road accidents usually caused in part by distraction or drowsiness.





These alerts are also part of the "alert prioritization" approach incorporated by Wingman Fusion, intended to reduce driver distraction by sounding only the most critical alert even if multiple alert scenarios are detected.

INTEGRATION WITH SAFETYDIRECT®

Like its component systems, Bendix Wingman Fusion integrates with SafetyDirect, the user-friendly Web portal that provides fleet operators with videos of severe events, along with comprehensive fleet and driver feedback. SafetyDirect severe event notifications support Level Two overspeed events as triggered by Wingman Fusion's unique Overspeed Alert & Action feature.

SafetyDirect - an option available to your fleet - wirelessly transmits real-time driver performance data, videos, and event-based information for back office analysis. It's an essential, customizable tool for gleaning actionable information that can improve fleet and driver safety, and accelerate return on investment.

Also, the tool now opens the door for two-way communication with the vehicle. This means some camera system changes can now be made remotely without having to manually touch the vehicle. The more information SafetyDirect knows, the more prepared your fleet can be. Wingman Fusion provides more – and more meaningful – information than ever before.

NEAR ELIMINATION OF FALSE ALERTS WITH MULTIPLE. COMPLEMENTARY SENSORS

Today's commercial vehicle safety systems typically rely on an individual radar or camera to identify valid objects and vehicles before issuing an alert or taking action.

Bendix Wingman Fusion takes that one step further by using BOTH the radar and camera together to identify potentially threatening stationary and moving objects. When these complementary technologies agree on target identification, false alerts or interventions (alerting or braking for objects that aren't valid targets) are significantly minimized.

The radar locates objects – moving and stationary – within its detection range, which is about 22 degrees wide and 500 feet long. It is particularly good at detecting the distance, speed, and angle of objects even through difficult-to-see conditions like snow, rain, fog, or smoke.

But it generally has more difficulty determining the exact size, lane position, and type of objects it's tracking.

That is where the camera can help. Its viewing angle is wider than the radar (about 42 degrees to better detect cut-ins). It detects objects visually much like a driver's eyes and is highly effective at determining the size, lane position, and critical characteristics of an object - which is why it is a very good complement to the radar.

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> Sleigh bells ring, are you listening In the lane, snow is glistening A beautiful sight We're happy tonight Walking in a winter wonderland

"Winter Wonderland" was written in 1934 by Felix Bernard (music) and Richard B. Smith (lyricist).



WHAT'S SO GREAT ABOUT WALKING IN A

WINTER WONDERLAN

*Sources: U.S. Department of Transportation Federal Higbway Administration; National Higbway Traffic Higbway Administration

It is very hard to avoid the snowy weather when more than 70 percent of the nation's roads are located in snowy regions (those that receive more than five in average snowfall annually). Nearly 70 percent of the U.S. population lives in these snowy regions.

Driving in that snowy weather takes more time. On freeways, light rain or snow can reduce average speed by 3 to 13 percent. In heavy snow, average freeway speeds can decline by 5 to 40 percent. And we all know that time is money. The estimated cost of weather-related delay to trucking companies ranges from 2.2 billion dollars to 3.5 billion dollars annually.

What we also know is that pushing too hard in bad weather can cost a life. More than 1,300 people are killed and more than 116,800 people are injured in vehicle crashes on snowy, slushy or icy pavement annually. No amount of money can make up for that loss.

Your best bet? Be prepared. Be patient. Review these tips and have a safe winter!

(continue reading, pg. 13)

WINTER WEATHER DRIVING TIPS

DRIVE WISELY AND CAUTIOUSLY

- Stay alert. Slightly open a window to provide fresh air.
- Slow down and never drive faster than your vehicle has the ability to stop and maneuver in a controlled manner.
- Be aware that anti-lock brakes often take longer to stop when activated. A jackknife can occur if only the tractor or trailer has ABS.
- Turn off the cruise control so you are in control of your vehicle.
- Keep at least an eight-second following distance to allow more time to stop and maneuver.
- Never overestimate your vehicle's ability to perform beyond its safety limitations or traction capability, or your driving ability. Also consider how your load affects safe handling.

- Drive defensively and look further down the road to anticipate emergencies.
- Avoid sudden turns, stops or accelerations.
- Be prepared for other motorists' erratic and uncontrolled driving.
- Give snow plows and other road equipment plenty of room.
- Watch for ice and black ice, especially on bridges, overpasses and parking lots.
- Do not pass on or near a bridge or overpass.
- Use extra caution on hills and be prepared to stop. Traffic may be backed up on the other side and the road may be slick.
- Do not attempt to drive around or through a section of roadway where other vehicles have stalled or collided.
- Do not take any unnecessary chances. If conditions are too dangerous to drive, pull off the road at the first safe location.
- Stay constantly alert for changing weather and road conditions, especially from county to county.

BE PREPARED BEFORE WINTER STORMS STRIKE

- Review weather reports for the latest storm watches, warnings and advisories.
- Get proper rest before and during every trip.
- Dress appropriately for the weather.
- Winterize your vehicle before the winter season.
- Perform a thorough pre-trip inspection, including the heater and defroster, before starting your trip and make all necessary repairs.
- Make sure your load is distributed evenly to maintain vehicle stability.
- Plan a primary and alternate travel route and advise dispatch.
- Inspect, repair and clean windows, windshield wipers, mirrors, lights,

PLAN FOR SURVIVAL

- Carry a winter storm survival kit.
- If you become stranded, stay with your vehicle, turn on your hazard lights, display a brightly colored cloth on the antenna, conserve fuel as much as possible, keep the exhaust pipe clear and leave the dome light on when your vehicle's engine is running so you can be seen.
- Perform minor exercises to maintain warmth and blood circulation, but avoid overexertion.
- Use extra clothing, blankets, and floor mats for added insulation to stay warm.
- Keep one window slightly open to let in fresh air.

reflective tape and any hazmat placards. • Road salt residue greatly reduces

headlight brightness. Clean headlights, vehicle lights, windows and mirrors regularly.

- Keep the fuel tank as full as possible, using the proper fuel or additives to prevent gelling.
- Protect air brake air supply from freezing. Bleed air brakes often. Check automatic bleeders frequently to verify they have not frozen.
- Pack a snow scraper, sturdy shovel, extra fuel filter, winter windshield washer fluid and abrasive material (like sand).
- Clean all hand and foot holds of ice and snow.



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COMMITTED TO THE TRANSPORTATION INDUSTRY

Trucks may have changed but our commitment to trucking has not.

For more than 80 years, Protective Insurance has been a specialist in transportation insurance. Today, our top priority is consistently delivering excellent customer service and giving our customers the personal attention they deserve.

Backed by experience and dedication, we are the best insurance partner for your truck fleet.



