

The Distracted Brain

Claims Case Study: Exploding Compressor

Emerging Technology: Lytx

GHSA Report on SPEEDING



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ATA Introduces 2019 – 2020 America's Road Team as Trucking Ambassadors

American Trucking Associations has announced its new team of 18 professional truck drivers to the 2019 – 2020 class of America's Road Team. The drivers will immediately begin their service as the premier group of trucking industry ambassadors to the general public, elected officials and members of the media.

"These drivers represent the diverse experiences of the 3.5 million professional drivers across the country and will be able to bring their unique stories to new, critical audiences as part of America's Road Team," said ATA President and CEO Chris Spear. "ATA is very excited to begin working with this group of professional, respected drivers and see them continue spreading the positive image of the trucking industry. We are extremely proud of them, as are their companies and families."

America's Road Team is an outreach initiative that utilizes professional truck drivers to impress upon the motoring public, lawmakers, and media the importance of the trucking industry. Since it was established in 1986, America's Road Team has educated millions of drivers

NEWS & NOTES

about the trucking industry's safety record, necessity, and professionalism.

"These Captains have dedicated their lives to spreading the message of safe driving while promoting a positive perception of the trucking industry. They are leaders in their communities, role models in their companies, and truly embody the professionalism and dedication that comes with the passion that they have for the industry," said ATA Senior Advisor and Executive Vice President of Industry Affairs Elisabeth Barna. "This new class represents everything we strive to promote about our industry and its professionals."

The Captains will have the opportunity to share their passion for trucking as they travel the country on behalf of ATA and the industry. They will share their experiences as professional truck drivers and the critical role the industry plays in the delivery of goods and services while also stressing the importance of a safety-first mentality. The drivers will continue to work full-time for their ATA member companies, appearing on behalf of ATA anywhere from 3 – 5 days per month. The new Captains will tour the country in ATA's Interstate One Image Truck, an American flag emblazoned Volvo VNL 760, featuring a state-of-the-art truck driving simulator and mobile classroom."

"Volvo Trucks is honored to continue our sponsorship of America's Road Team with a brand new Volvo VNL 760 and take part in this week's selection of the 2019 – 2020 Captains," said Volvo Trucks North America President Peter Voorhoeve. "America's Road Team is one of the most visible groups of professional truck drivers in the country, and we believe their hard work and dedication pays dividends for our industry. We want to thank the Captains for their strong engagement and being passionate ambassadors of this great profession. We congratulate the new class of America's Road Team Captains and wish them the best of luck as they carry out their mission over the next two years."

ATA held its final round of selections from January 27 – 29 in Arlington, Virginia. The drivers were judged on their ability to express their knowledge of the industry, their skills in effective communication about safety and transportation, and their overall safe-driving record. The panel of judges included trucking executives and trade press. "I'm excited to start off 2019 by welcoming these new percent of traffic deaths," says David Yang, executive director of AAA Foundation for Traffic Safety. Captains to the America's Road Team family. America's Road Team is an important tool for our industry and I can't wait to see how they will continue to spread our message of safety "However, driver understanding and proper use is crucial in and professionalism," said ATA Chairman and professional reaping the full safety benefits of these systems. Findings truck driver Barry Pottle, president of Pottle's Transportation. from this new research show that there is still a lot of work "Everyone introduced tonight has earned their spot on the to be done in educating drivers about proper use of ADAS team through their hard work and dedication to safety and technologies and their limitations." their passion for trucking.

William C. Bennett III, UPS Freight, Maytown, Pennsylvania. Sammy Brewster, ABF Freight, Powder Springs, Georgia. Jorge Chavez, Jetco Delivery, Houston, Texas. Timothy Chelette, Big G Express, Murfreesboro, Tennessee. James Clark, Penske Logistics, Otter Lake, Michigan. April Coolidge, Walmart Transportation, Mint Hill, North Carolina. Scott Davis, ABF Freight, Kearney, Missouri. Douglas Frombaugh, FedEx Freight, Carlisle, Pennsylvania, William Goins, Old Dominion, Cloverdale, Indiana. Billy Hambrick, Werner Enterprises, Yoder, Wyoming. Russell James, YRC Freight, Bonner, Montana. Gary Martin, FedEx Ground, Galt, California. William McNamee, Carbon Express, Christopher, Illinois, Tina Peterson, FedEx Ground, Blaine, Minnesota. Theldorine "Dee" Sova, Prime Inc., Sacramento, California Ronald Vandermark, UPS Freight, Delran, New Jersey. Nicolette Weaver, FedEx Freight, New Bloomfield, Pennsylvania. Todd Wilemon, ABF Freight, Fulton, Mississippi.

Misusing Vehicle Safety Technologies Can Lead to Crash, Research Finds

According to research from AAA Foundation for Traffic Safety, many drivers are unaware of the safety limitations of their vehicles' advance driver assistance systems (ADAS) such as blind spot monitoring systems, forward collision warning and lane keeping assist, and that misunderstanding these systems can lead to an overreliance on them, which can potentially result in a crash.

The research surveyed drivers who recently purchased a 2016 or 2017 model-year vehicle with ADAS technologies. Researchers evaluated drivers' opinions, awareness and understanding of these technologies and found that most did not know or understand the systems' limitations. For example, researchers found that 80 percent of drivers did not know the limitations of blind spot monitoring or incorrectly believed that the systems could monitor the roadway behind the vehicle or reliably detect bicycles, pedestrians and vehicles passing at high speeds.

"When properly utilized, ADAS technologies have the potential
to prevent 40 percent of all vehicle crashes and nearly 30Download the report at http://bit.luy/2F2Nxb0.Reprinted with permission of American Society of Safety Professionals

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.

Additional findings include:

- Nearly 40 percent of drivers did not know the limitations of the forward collision warning and automatic emergency incorrectly reporting that forward collision warning could apply the brakes in the case of an emergency, when the technology is only designed to deliver a warning signal.
- Roughly one in six vehicle owners reported they did not know whether their vehicle was equipped with automatic emergency braking.
- About 25 percent of drivers using blind spot monitoring or rear cross traffic alert systems report feeling comfortable relying solely on the systems and not performing visual checks or looking over their shoulder for oncoming traffic or pedestrians.
- Roughly 25 percent of vehicle owners using forward collision warning or lane departure warning systems report feeling comfortable engaging in other tasks while driving.

"New vehicle safety technology is designed to make driving safer, but it does not replace the important role each of us plays behind the wheel," Yang says.

"The prospect of self-driving cars is exciting, but we aren't there yet. Automakers have an ethical and important responsibility to accurately market and to carefully educate consumers about the technologies we purchase in the vehicles we drive off the lot."

- AAA also urges drivers to take a primary role in learning about the functions and limitations of their vehicle's technology to improve road safety. To reduce misuse or overreliance on ADAS Systems, AAA encourages drivers to:
 - Read the owner's manual to learn which systems are installed in the vehicle.
- Request an in-vehicle demonstration and test drive to better understand how the systems will engage on the roadway.
- Ask questions about the functions, capabilities and limitations of the safety technologies before leaving the dealership.

OSHA UPDATE

OSHA Requests Information on the Powered Industrial Trucks Standard

The U.S. Department of Labor's Occupational ▲ Safety and Health Administration (OSHA) is requesting information as the Agency considers rulemaking to update the powered industrial trucks standards for general, maritime, and construction industries. The standards became effective in 1971, and were based on industry consensus standards from 1969. Since then, national consensus standards have been updated several times.

OSHA IS REQUESTING INFORMATION ON:

- the types, age, and usage of powered industrial trucks;
- maintenance and retrofitting;
- how to regulate older powered industrial trucks;
- types of accidents and injuries associated with operating these machines;
- costs and benefits of retrofitting the machines with safety features;
- and other components of a safety program.

OSHA will use the information received in response to this request to determine what action, if any, it may take to reduce regulatory burdens and create jobs while improving worker safety.

Comments must be submitted on or before June 10, 2019. Comments and materials may be submitted electronically at www.regulations.gov, the Federal e-Rulemaking Portal, or by facsimile or mail. See the Federal Register notice for submission details.

Powered industrial trucks include forklifts, fork trucks, tractors, platform lift trucks, motorized hand trucks, and other specialized industrial trucks powered by an electrical motor or an internal combustion engine.



Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to help ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit www.osha.gov.

GHSA Report on Speeding

T n January 2019, the Governors Highway Safety Association (GHSA) released a report on speeding. With data from the National Highway Traffic Safety Administration (NHTSA) Fatality Analysis Reporting system, the report reviews policy and trends related to speeding. Select information from the report is shared here. To view the entire report, visit

ghsa.org/resources/Speeding19.

HIGHER SPEED = HIGHER RISK

The safety risk associated with higher speeds is undisputed. With higher driving speeds, the number of crashes and the crash severity increases disproportionately.

The Insurance Institute for Highway Safety (IIHS) reports that speed influences the risk of crashes and crash injuries in three ways:

- The distance a vehicle travels from the time a driver detects an emergency to the time the driver reacts is increased.
- The distance needed to stop a vehicle once the driver starts to brake is increased.
- The exponential increase in crash energy. For example, when impact speed increases from 40 to 60 mph

increases by 125 percent

A high degree of mobility and the ability to travel quickly by air, rail or road seems to have become an everyday expectation of modern society. NHTSA studies have shown that most traffic exceeds posted speed limits, and this culture is mutually reinforced between drivers, policymakers and many transportation stakeholders.

According to NHTSA, there were 9,717 speeding-related fatalities on U.S. roadways in 2017, and speeding-related fatalities made up 26.2 percent of the nation's total fatalities. This safety toll is persistent as excessive speed has long accounted for a considerable proportion of U.S. road trauma. Since 2000, speeding-related fatalities as a percent of total motor vehicle fatalities has ranged from 32 percent to 26 percent.

FROM THE STATES

Speeding-related deaths as a percent of the total motor vehicle deaths were calculated for each state for 2017. New Hampshire and Washington, D.C. had the top two percentages for both years, with more than half of motor vehicle deaths classified as speeding-

(a 50 percent increase), the energy

related. This state-by-state variation, ranging from 57 percent to 9 percent of total motor vehicle deaths, is striking. These findings suggest that many factors could be impacting speeding practices, including different travel trends, roadway environments, laws and programs. There are also variations in the data collection practices that likely result in underreporting of speedingrelated crashes. Most importantly, these differences suggest that there may be promising best practices that can be applied widely.

In August 2018, GHSA surveyed states to determine potential trends regarding speeding-related fatalities and explanations for these trends within the states. Responses were collected from all 50 states and the District of Columbia. The states reported a number of factors that may play a role in increases in speeding-related fatalities (in no particular order):

- Increased speed limits;
- Limited law enforcement resources;
- Lack of a federal traffic safety grant program focused exclusively on speed enforcement;
- Overall increases in motor vehicle crashes and vehicle miles traveled;
- Greater distances to and from work

or recreational destinations, therefore increasing the number of speeding incidents;

- Increased congestion on major roadways due to volume, causing drivers to try to make up time for the perceived time spent in traffic;
- Updated crash reports and data systems that now more effectively report speeding-related crashes and fatalities:
- Inclement weather such as ice and snow in states with colder winter months;
- Population increases;
- Higher incidences of distraction among drivers; and
- Recreational marijuana legalization.

The states also reported factors that could decrease speeding-related fatalities, including:

- Overall declines in total motor vehicles deaths;
- High visibility enforcement (HVE) of occupant protection laws and seat belt media campaigns;
- Increased engineering efforts incorporating traffic calming features; and
- Reductions in teen driver registrations and licenses issued during the past few years, reducing exposure for the younger age categories.

RISKY BEHAVIORS

According to NHTSA, over the past 10 years, approximately half of speeding drivers involved in fatal crashes were unrestrained, while approximately one quarter of non-speeding drivers involved in fatal crashes were unrestrained. Seat belts can save lives when worn properly. However, at high speeds, the force of

a crash can be such that even seat belts cannot prevent serious injuries or even fatalities.

Researchers have uncovered evidence that drivers who speed also likely engage in a range of risky behaviors. NHTSA analyzed the previous driving records of drivers involved in fatal crashes, noting that fatally-injured speeding drivers are more likely to have a previously recorded crash, license suspension or revocation, and/or speeding or DWI conviction than non-speeding drivers.

ROADWAY FACTORS

Two speeding conditions are usually considered when assessing the road factors contributing to speeding-related crashes: exceeding the posted speed limit and driving too fast for conditions. Driving too fast for conditions is usually cited during times of inclement weather such as rain, snow or icy conditions.

Inclement weather seems to present elevated risks. In 2016, speeding was a factor for 17 percent of the drivers involved in fatal crashes on dry roads, 21 percent of those on wet roads, 32 percent when there was snow or slush on the roads, and 44 percent of drivers involved in fatal crashes that occurred on roads with ice or frost.

Curved sections of roadways commonly contribute to speeding-related crashes. In 2008, more than 80 percent of fatal crashes were roadway departures with more than 27 percent of total fatal crashes occurring at horizontal curves.

Fatal speeding-related crashes occur most frequently on non-interstate roadways. Total fatality rates on rural

roads are typically more than twice that of urban roads. Specifically, noninterstate rural roads are reported to have the highest incidence of speedingrelated fatalities. This could be a result of a number of factors that either introduce risks, encourage speeding, or lower drivers' risk perceptions:

- The higher number of horizontally curved roadways;
- Higher speed limits found on rural interstate roadways;
- · Longer distances to travel with less traffic;
- Sparser traffic enforcement efforts;
- Fewer traffic calming features; and
- Fewer non-motorized road users.

Speeding is particularly dangerous in work zones. Temporary speed limit reductions are a common countermeasure aimed at improving work zone safety, particularly when the work is occurring on or near the roadway. In theory, reduced speed limits may serve at least three important functions:

- to reduce variability in travel speeds and the potential for work zone crashes,
- to reduce average travel speeds and the severity of crashes when they do occur,
- and to enhance worker safety.

CULTURAL ACCEPTANCE

The AAA Foundation (AAAFTS) has long found that actual driving behaviors often contradict drivers' attitudes about safety, sustaining a "do as I say, not as I do" culture on the roads applicable to many traffic safety issues. With regard to excessive speeds, these findings suggest that most drivers have an unrealistic view of their ability to avoid a crash

or drive proficiently and safely when speeding.

A 2017 national survey of drivers conducted by AAAFTS found that half of motorists reported exceeding the speed limit by 15 mph on a freeway and 47.6 percent reported driving 10 mph over the speed limit on a residential street in the past month. At the same time, 23.9 percent of respondents believed that speeding 15 mph above the posted speed limit on the freeway is "completely" or "somewhat" acceptable.

Drivers likely exceed speed limits by small amounts every day, observe nearly every other motorist doing the same, and determine that "nothing bad happens," reinforcing this risky behavior. Drivers often assume that they can exceed the speed limit by 10 or even 15 miles per hour before they will be pulled over. After years of perceived tolerance regarding enforcement, speed limits have lost the concept of "limit."

The pervasive cultural attitude that accepts speed as the cost of doing business is reflected in how the issue ranks in the scale of national traffic safety priorities. A study conducted in 2017 by the National Transportation Safety Board (NTSB) found that the current level of emphasis on speeding as a national traffic safety issue is lower than warranted and insufficient to achieve the goal of zero traffic fatalities in the U.S. In addition, current federal aid programs do not require or incentivize states to fund speed management activities adequate to the national impact of speeding on fatalities and injuries.

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EFFORTS TO REDUCE SPEEDING



Most states reported implementing strategies to reduce speeding-related fatalities, including focused data-driven enforcement using zero-tolerance safety corridors, HVE, overtime traffic enforcement, automated enforcement (where permitted), and dedicated aggressive driving wave enforcement. These efforts are often funded by federal and state grants. Some states reported that the identification of impaired driving offenders relies heavily on speed

violations, and so these enforcement efforts are typically combined.

In GHSA's survey of the states, several respondents reported the use of public outreach and education efforts, including media campaigns and variable message signs, to reduce speedingrelated fatalities. States also employ engineering strategies such as traffic calming, mounted dynamic speed signs and roadway markings.

Automated Speed Enforcement (ASE) enables local law enforcement agencies to enforce traffic laws remotely. Photo radar systems are deployed and linked with cameras that capture violations. These are later processed, and a citation is issued to the vehicle owner or driver. IIHS studies of cameras on residential roads in Maryland, on a high-speed roadway in Arizona and on city streets in the District of Columbia found that the proportion of drivers exceeding speed limits by more than 10 mph declined by 70 percent, 88 percent and 82 percent, respectively, six to eight months after cameras were introduced.

Despite the research showing the safety benefits of ASE, some jurisdictions and members of the public are still opposed to the use of this technology. Opponents often claim that ASE violates a variety of constitutional and other legal protections, though courts have consistently upheld their legality.

Roadway changes and markings can also impact speeding. On curved roadways, several techniques can be implemented to reduce speeds including flashing beacons, raised pavement markers and reflectors.

Traffic calming methods such as bump outs, speed humps and refuge islands have been used with success to reduce vehicle speeds. Roundabouts have also been found to reduce injury crashes and improve traffic flow.

VEHICLE TECHNOLOGY

Connected vehicle technology has developed very quickly over the past two decades and can facilitate the exchange of data generated by the vehicle, such as location, speed, rate of acceleration, fuel consumption, and other technical information. Telematics monitoring technology – a type of connected service – has been used by employers to monitor fleet vehicles all over the world. The introduction of telematics systems by organizations with fleet vehicles has been found to reduce speeding.

"More than eight in 10 drivers said speeding on interstate highways and freeways is a safety problem, and four in 10 drivers said it is a big safety problem."

Some GPS navigation systems and cellphone applications can provide real-time speed alerts, serving a similar function as roadside electronic signs displaying vehicle speeds, which have been shown to reduce speeding.

For some classes of vehicles and in some jurisdictions, the use of speed limiters is a statutory requirement. For others, trucking companies and individual drivers may install and program speed limiters. A speed ceiling helps ensure a truck driver can stop or nearly stop at a reasonable distance if an emergency occurs.

In 2006, the American Trucking Associations and Road Safe America separately petitioned NHTSA and the Federal Motor Carrier Safety Administration (FMCSA) to require speed limiters in trucks with gross weights exceeding 26,000 pounds.

> The petitions called for speed governors to be set at a maximum of 68 mph. In 2007, a survey of drivers nationwide conducted by IIHS indicated that 64 percent favor a speed governor requirement for large trucks. More than three-quarters of respondents who favor speed governors support a maximum speed below 70 mph. More than eight in 10 drivers said speeding on interstate highways and freeways is a safety problem, and four in 10 drivers said it is a big safety problem. Currently, the U.S. DOT has reported it will not pursue a rulemaking to mandate the use of speed limiters in the trucking industry.

Auto manufacturers are developing and integrating ever more complex safety and driver assistance technology in vehicles. While these features have tremendous potential to prevent crashes, a broad limiting factor is the time required for new technology to adequately penetrate the vehicle fleet in order to achieve population-level safety benefits.

DEFINE SUBROGATION



The subrogation/salvage unit at Protective Insurance was created in 2008. Subrogation investigates workers' compensation and auto claims to determine if there is a third party responsible for any liability or negligence that may have caused the injury or damage.

Investigating claims is complicated from the start, but is made more so by the differences in law in every state. This unit must keep track of the numerous details of the claim while maintaining their fiduciary responsibility to the insured.

Protective's subrogation/salvage team is comprised of dedicated workers' compensation and auto subrogation adjusters. They also specialize in arbitration, salvage and contract claims subrogation. Not only are they specialized in their areas, but they strive to be experts.

Several members of the team are involved with the National Association of Subrogation Professionals. This organization offers educational opportunities, resources and networking forums. Members can reach out to lawyers, investigators, experts and others who can assist with the recovery process Through the past ten years, the unit has worked diligently to improve their processes, procedures and controls to increase the dollars recovered. New reports help them track where subrogation opportunities may fall through the cracks such as reopened claims and the statute of limitations for each claim, which varies by state. Overall, they are more proactive and timely in their work.

ALL OF THEIR TRAINING, EDUCATION, EXPERIENCE AND DILIGENCE ARE MAKING A DIFFERENCE.



Medical payments per claim are **63** percent lower than national average.

Protective customers have indemnity payments per claim that are **40** percent less than the national average.



The recovery rate for this team is more than **40** percent higher than the industry average.

CASE CLAIMS STUDY: EXPLOIDING COMPRESSOR

OVERVIEW: The injured worker – we'll call him Mike – had a flat tire and a service vehicle was sent to address the problem. The compressor unit experienced a catastrophic failure and exploded which resulted in significant injuries.

FACTS OF LOSS: The service vehicle arrived to address the tire and the technician was unable to get the air compressor to work properly. The technician called his dispatcher and was instructed to continuously push the compressor button in order to get the unit to work. The technician couldn't reach the button while attempting to start the unit and asked Mike to do it. Mike did as requested, but changed position to the rear of the truck as his initial stance was awkward. A short time later, the compressor experienced a catastrophic failure, exploded and completely blew out the side of the maintenance truck. Fortunately, Mike had moved to the back of the truck to hold the button otherwise this likely would have resulted in fatal injuries.

Mike was transported by ambulance to receive care. Thankfully, he was covered by the workers' compensation insurance his company obtained through Protective.

DAY:1 The claim was promptly reported to Protective Insurance. Dual assignments were given to the workers' compensation adjuster and the subrogation adjuster. The subrogation examiner immediately put the company who dispatched the service truck and the owner of the service on notice of our intention to subrogate. Contact was made with the owner of the service truck and Protective obtained his insurance carrier's information. The location of the damaged truck was determined and a cause and origin expert was brought in to conduct an inspection. Additional investigative efforts focused on the driver of the maintenance truck and maintenance records were requested, (but never disclosed).

DAY:2 Contact was made with the carrier of the service truck as well as the owner. The details of the incident were discussed and an address was provided for where the involved unit would be stored. A subrogation notice was tendered to the at-fault carrier as well.

DAY:7 The cause and origin expert conducted a preliminary review of the maintenance truck, (including photos), and was able to provide the identity of the make and manufacturer of the compressor motor, the manufacturer of the tank that holds the gasoline and the manufacturer of the engine that powered the compressor. All parties were placed on notice as we did not know which part would have caused the failure. The cause and origin expert met with the injured party to get a better understanding of the facts of loss and why he was instructed to "continuously hold the compressor button." At this point OSHA became aware of the incident and also wanted to conduct an inspection of the unit.

Legal counsel for the truck owner's carrier preserved the unit until all appropriate parties could be present to witness the forensic inspection and deconstruction of the compressor.

At this point we have multiple businesses, insurance carriers and their legal representatives on notice of Protective's intent to subrogate.

DAY:23 The cause and origin expert reviewed the initial photographs with an expert in maintenance and repair of commercial air compressors. A determination was made that the original motor in the compressor had been replaced with a different motor that was manufactured by another company. We were provided with that manufacturer's information and put them on notice of our intent to subrogate as well.

The damaged service unit was preserved for many months in a secure location until all involved parties could be present for the inspection and deconstruction of the equipment.



DAY:133 The inspection and deconstruction finally takes place. It was determined that the air compressor system has been altered to fit the service truck. The system had not been maintained properly resulting in rust build up that affected the unit's integrity and operation. The rust was so pervasive that is was even plugging the hose.

Protective promptly reached out to the attorney and insurance carrier of the owner of the service vehicle as it was clear where liability would fall. Liability was accepted and we then waited for the workers' compensation to be resolved so that we could move on to resolving Mike's bodily injury claim and Protective's lien. From the workers' compensation adjuster's perspective, From the workers' compensation adjuster's perspective,

From the workers' compensation adjuster's perspective, the management of this claim was the perfect example of communications, cooperation, education and trust resulting in lower claim costs and increased potential third party recovery.

The claim was reported promptly. Accident specifics and the involved parties were identified and available from the insured and the subrogation unit was alerted. We assigned a Field Case Manger to visit the injured worker, Mike, in the hospital and gain as much information as possible, along with diagnosis and prognosis. The workers' compensation adjuster contacted Mike while he was still in the hospital to reassure and, as he was able, discuss accident specifics. The adjuster advised Mike of the claims process, the adjuster's responsibilities and the Field Case Manager's role. The injured worker was advised as to the timing of disability payments and provided contact information for the adjuster. A foundation of information and communication was established between the insured, the injured worker, adjuster and subrogation specialist.

To this foundation, we added education. Frequent communication with Mike was critical from both the nurse and adjuster. As we learned more about the accident and medical treatment was shared, the subrogation specialist reciprocated with additional information regarding the parities identified and the recovery process. Information was shared with Mike so he could understand his role in the claim and the subrogation recovery process. Mike was provided the contact information for the subrogation specialist and encouraged to ask questions and assured those questions would be answered. This frequent education and communication, over time, established trust. While Mike did not fully recover from his injuries he reached an end of healing.

Trust led to a pro se settlement. Throughout the workers' compensation claim, Mike was not represented by an attorney.

He remarked on several occasions that he felt like he was dealt with honestly and fairly by both the subrogation specialist and the adjuster. He relied on our teamwork approach; we uniformly answered questions and referred to one another for questions outside our realm of immediate expertise. He felt his needs had been met. Ultimately Mike and the adjuster agreed to a full settlement amount.

Mike was supported and informed through open and honest communication from both the adjuster and the specialist. They worked in tandem and provided Mike the necessary education and resources for informed decisions on settlement and third party recovery. Open and honest communication was the foundation and guiding principle responsible for a positive medical, settlement, and ultimately third party recovery.



The Distracted Brain

April is Distracted Driving Awareness Month, an effort to bring to light the dangers of distracted driving and bring to an end the preventable injuries and deaths that result from distracted driving.

The National Safety Council (NSC) has a number of resources available to help you spread the word about distracted driving. Find them at **nsc.org/justdrive**. Does your company have a cellphone policy? The NSC website offers resources for employers including a cellphone policy and supporting materials.

Let's all work together to put an end to distracted driving.

Distracted Driving By the Numbers

At 55 mph, sending or reading a text takes your eyes off the road for about 5 seconds, long enough to travel the length of a football field. What else do we know about distracted driving?

- 3,166: people killed in crashes involving a distracted driver in 2017 – nearly 9 percent of all motor vehicle deaths
- 47: states that ban text messaging for all drivers
- 16: states that prohibit all drivers from using handheld electronic devices while driving
- 9: people killed each day as a result of crashes involving a distracted driver
- 80: percent of drivers who admit to blatantly hazardous behavior while driving, such as changing clothes, steering with a foot, painting nails, or even shaving

Hands Free Cellphone Use: A Dangerous Distraction

Cellphones are unique from other forms of driver distraction because they usually involve all forms of distraction. Many people tend to focus on visual and manual distractions. However, mental distraction is very risky because people do not always recognize they are mentally distracted and this distraction lasts much longer than the other types. There is a false perception that hands-free phones are safer than handheld. But research has found no safety benefits to hands-free use. Think about how often you turn down the volume on the radio when looking for a specific address!

There are several types of driver distraction:

- Visual takes your eyes off the road. This can include looking for something in the vehicle, electronic device or reading advertising along the road.
- Manual takes your hands off the wheel. Smoking, eating and drinking in the vehicle are common manua distractions.
- Auditory keeps you from hearing important sounds from outside the vehicle. Driving while wearing headphones, talking to passengers or playing music loudly fall into this category.
- Cognitive or Mental takes your mind off of driving.
 Stress is a big contributor to this area as we think about our day and get lost in our thoughts.

Listen to your *Top 5*

Each day, we have the majority of our cell phone communication with just five people. According to an AT&T study, 85 percent of people asked said they would stop or reduce smartphone communications while driving if asked by one of their "top 5." Seventy percent would download an app to block smartphone notifications while driving, if asked by one of their "top 5."

Changing our driving culture doesn't require heroic efforts if each of us reach out to those we care about. And if we do, we will make a difference.

Play it safe and keep your eyes – and your mind – on the road!

	Risks of driving while talking on a cellphone:
Э	• Four times as likely to be in crashes resulting in injury
s	or property damage
	 More likely to commit driver errors and traffic
	violations
al	• Slower reaction time than drivers impaired at the 0.08
	alcohol concentration level
	 Looking but failing to see up to 50 percent of the
g	driving environment
	 More than one-third of the brain's processing
	resources are drawn away from driving tasks

Source: National Safety Council





Protect Your *Business*, **Protect Your** *Drivers*

Your fleet of vehicles likely represents your business' greatest risk. In the past few years, average property damage costs from collisions have jumped nearly 400%. The Lytx Video Platform helps you prevent accidents and exonerate drivers, so you can protect your vehicle investment, drivers, and your business. Identify, prioritize and correct poor driving before an accident ever occurs.



whenever it's needed; and shine a spotlight on potential revenue opportunities.

Verify Incidents Quickly: Quickly find video evid what really happened to resolve incidents within

Access What You Need On Demand: Quickly fir and access video of your fleet when you need it most

IMPROVE DRIVER SAFETY

change behavior, prevent collisions, and improve your bottom line.

Identify Risky Behavior: Surface risky driving ev advanced machine vision technology

Improve Driver Behavior: Choose a guided coad approach to improve driver behaviors in order to future collisions

FLEET TRACKING SERVICE

Streamline Fleet Management: Improve veh time performance, and driver adherence to re

Maximize Work Hours: Increase efficiency ar productivity by tracking arrival, idle, and depa

RAIR COMPLIANCE SERVICES

Use a single, online solution to quickly identify, prioritize, and address your fleet's safety and compliance issues.

Identify Missing and Incorrect Reports: Aud electronic DVIRs with online storage and repo

Save Time Tracking Hours of Service: Audit HOS logs using a single, online service

Video can change the way you operate: make every minute more productive; expose operational blind spots; provide proof

lence of n your fleet	Improve Operational Efficiency: Evaluate what's happening in and around your fleet to improve operations
nd, transfer,	Untap Potential Revenue: Identify new and overlooked

service gaps to expand revenue opportunities

Gain visibility into the moments that matter, proactively managing your fleet risk. Driver Safety Suite provides the tools to help

vents using	Optimize Productivity: Improve your response time with real-time upload of triggered events
ching avoid	Lower Operating Costs: Experience fewer collisions and reduced costs in repairs and insurance claims with safer drivers

Get real-time access to fleet status to help you respond faster, minimize phone time, reduce callbacks, and optimize fleet productivity.

icle use, on- outes	Improve Customer Satisfaction: Respond to clients faster with accurate driver status and real-time location tracking
nd driver	
rture times	Reduce Costs: Use route replay to expose mystery miles and help reduce unnecessary fuel costs

it paper and orting	Improve CSA Scores: Spot the causes of CSA violations so you can coach and improve
our drivers'	Reduce Risk in Driver Qualification Files: Audit DOT- required documents along with reports and proactive alerts



111 Congressional Blvd., Suite 500 Carmel, IN 46032

Are you ready for the unexpected?



Protective Insurance has a Loss Prevention & Safety Services Team ready to help address specific safety and risk management needs. This team understands the unique challenges of the transportation industry and brings with them practical solutions for improving safety.

Trust the Protective team to keep your employees safe.

