



Mobile Workforce: Responsible Driving Practices

There is a growing need to optimize your employees' driving time and reduce corporate liability. The nationwide movement to prevent distracted driving has not only raised awareness of the dangers of texting and calling while in a vehicle, but also has gained support by 30 states and the District of Columbia to ban text messaging for all drivers. Just as the seatbelt was invented to reduce the effects of collisions, now a technology is available that aims to prevent the collision in the first place. Nearly 6,000 people died in 2008 in crashes involving a distracted driver, and more than half a million were injured. (NHTSA)¹.

Reduce Loss. Gain control. Monitor Compliance.



"Tiburzi v. Holmes Transport 2009 U.S. Dist. LEXIS 73720 (E.D. Mo. Aug. 20, 2009)

\$18 million verdict for plaintiff who sustained serious brain injury after being struck by an 18 wheel truck being driven by an employee of defendant. Judge found that at the time of the accident, the truck driver opened his cell phone and was checking it for text messages. Holmes Transport was liable under a theory of vicarious responsibility." – (Risk and Insurance Webinar, Sponsored by Zurich)²

"Bustos v. Leiva et al – (Dade County, Florida Circuit Court). Paul Prentiss, *Commentary: Employers Should Protect Themselves Against Liability*, Daily Reporter, Feb. 24, 2003

\$21 million verdict (2001): This award arose from an accident in Florida in which an elderly woman was seriously injured after being struck by a truck driven by an employee of lumber giant Dyke Industries. Although the employee initially denied being distracted at the time of the accident, his cell phone records proved that he had been using his phone at the time the crash occurred. Because the employee was in a company truck and on-duty at the time of the accident, Dyke Industries was held liable under a theory of vicarious responsibility. The case was subsequently settled for \$16.2 million."²