



COOK COUNTY VEHICLE COLLISION POLICY

PURPOSE

The purpose of the Cook County Vehicle Collision Policy is to provide uniform structure and procedures to the reporting and response to incidents involving Cook County drivers and vehicles. In addition to any provisions of the Illinois Vehicle Code, 625 ILCS 5/1-100 et seq. and any internal policies and procedures established by a County Department or Agency, this policy lists the procedures to be followed after a collision involving an employee that has occurred in a County owned vehicle, shared fleet, rented vehicle or their own personal vehicle for the purpose of conducting County business.

SCOPE

This policy applies to employees of all Cook County Departments and County Agencies¹ that use County-owned vehicles, shared fleet, rented vehicles or personal vehicles for the purpose of conducting County business.

CONFLICT

Nothing in this collision policy shall be construed as being in conflict with the internal policies and procedures established by a County Department or Agency. The regulations which are more restrictive or impose higher standards or requirements shall govern.

In the event that this policy or the internal policies and procedures established by a County Department or Agency conflict with the Illinois Vehicle Code, the Illinois Vehicle Code shall govern.

1. This Policy applies to employees for all Cook County Elected Officials, Departments, Office Institutions or Agencies of the County including but not limited to the offices and departments under the jurisdiction of the County Board President, the Board of Commissioners, Cook County Health and Hospitals System, Cook County State's Attorney, Cook County Sheriff, Cook County Public Defender, Clerk of the Circuit Court of Cook County, Cook County Treasurer, Cook County Clerk, Cook County Recorder of Deeds, Cook County Assessor, Chief Judge of the Circuit Court of Cook County, Board of Review, Cook County Public Defender, Office of the Independent Inspector General, and the Public Administrator (hereinafter, "County Department", "Agencies" or "Agency").

DEFINITIONS

Collision: means any impact occurring between a vehicle and another vehicle, person, object, animal, geographic or architectural object which results in injury, property damage, vehicle damage or death, regardless of who was injured, what property was damaged or to what extent, where it occurred or who was responsible.

Collision Review Board: means a subcommittee of the Vehicle Steering Committee that is comprised of the Chief Administrative Officer or their designee, Director of the Department of Risk Management or their designee, the Chief of the Bureau of Human Resources or their designee, and an “at large member” elected annually by the Vehicle Steering Committee from among its members. The Collision Review Board meets quarterly.

County Department, Agencies or Agency: means all Cook County Elected or Appointed Officials, Departments, Office Institutions or Agencies of the County including but not limited to the offices and departments under the jurisdiction of the County Board President, the Board of Commissioners, Cook County Health and Hospitals System, Cook County State’s Attorney, Cook County Sheriff, Cook County Public Defender, Clerk of the Circuit Court of Cook County, Cook County Treasurer, Cook County Clerk, Cook County Recorder of Deeds, Cook County Assessor, Chief Judge of the Circuit Court of Cook County, Board of Review, Cook County Public Defender, Office of the Independent Inspector General, and the Public Administrator.

Employee: means persons employed by Cook County, including any County Department, Agency or Agencies.

Offense: means any collision in which a driver violates any provision of applicable local, state, and/or federal law or occurrence that happens unexpectedly or unintentionally, involving a Cook County employee’s use of a vehicle which: (1) causes injury to another person or damage to property; (2) results in injury to a Cook County employee; or (3) results in damage to Cook County property.

Parties: means drivers, vehicle occupants, and witnesses.

Vehicle: means any County owned, leased, shared fleet and rented vehicles including but not limited to, automobiles, trucks, sport utility vehicles, vans, heavy duty trucks, trailers, tractors, and all other County owned, leased, miscellaneous vehicles and equipment as well as any employee owned, leased or rented vehicle authorized and being used for conducting County related business at the time of the collision. Upon or by which any person or property is or may be transported or drawn upon a street or highway, except motorized wheelchairs, devices moved solely by human power, devices used exclusively upon stationary rails or tracks and snowmobiles, as defined in the Snowmobile Registration and Safety Act of Illinois.

Vehicle Steering Committee: means the committee authorized by the Cook County Board of Commissioners pursuant to Section 2-671 of the Cook County Code.

PROCEDURES FOLLOWING A COLLISION

I. Employee’s responsibilities following a collision.

All employees who are involved in a Collision while using a vehicle as defined herein must follow all applicable State and Cook County requirements, including, but not limited to, the following:

A. Comply with the requirements set forth in Article IV, Accidents, of the Illinois Vehicle Code, 625 ILCS 5/11-401 et seq., including

1. Accidents Involving Death or Personal Injury. Any employee driving a vehicle as defined herein who is involved in a motor vehicle accident that results in injury or death shall (i) remain at the scene of the accident (or as close thereto as possible), (ii) exchange relevant information, e.g., drivers' name, address, registration number, exhibit driver's license and (iii) render reasonable assistance. (625 ILCS 5/11-401)

Request that all parties remain and render assistance at the scene of the accident, if possible, until a law enforcement representative has released them. Any employee involved in an accident while driving a vehicle as defined herein who cannot or does not comply with the above requirements, must report the accident at a police station or sheriff's office near the site where accident occurred no later than one half hour after the accident occurred (or, in the event the employee is injured, after being discharged from a hospital).

2. Accidents Involving Vehicle Damage. An employee driving a vehicle as defined herein is involved in a motor vehicle accident resulting only in damage to a vehicle which is driven or attended by any person shall (i) immediately stop such vehicle, remain at the scene of the accident (or as close thereto as possible) and (ii) exchange relevant information, e.g., drivers' name, address, registration number, exhibit driver's license. (625 ILCS 5/11-402).

The employee involved in the accident shall promptly report the collision to the appropriate law enforcement agency and the employee's Vehicle Coordinator. The employee involved in the accident must report the issuance of any ticket or arrest as a result of the collision within twenty-four hours to the Vehicle Coordinator and Department Head.

3. Duty to Give Information and Render Aid. Any employee driving a vehicle as defined herein who is involved in a motor vehicle accident that results in injury or death shall (i) give his/her name, address, registration number and vehicle ownership information to the driver of the other vehicle, (ii) upon request (and if available) exhibit his/her driver's license to the person struck or the driver or occupant of or person attending any vehicle collided with and (iii) render to any person injured in the accident reasonable assistance, including the carrying or the making of arrangements for the carrying of such person to a physician, surgeon or hospital for medical or surgical treatment, if apparent such treatment is necessary or carrying is requested by the injured person.

If none of the above persons entitled to information is in condition to receive and understand such information and no police officer is present, an employee after rendering reasonable assistance shall report the motor vehicle accident at the nearest office of a duly authorized police authority.

Any person failing to comply with this Section may be guilty of a Class A misdemeanor. (625 ILCS 5/11-403)

4. Accidents Involving Damage to Unattended Vehicle or Other Property. Any employee driving a vehicle as defined herein who is involved in a motor vehicle accident with any vehicle which is unattended, or other property, that results in any damage to such other vehicle or property shall (i) immediately stop, (ii) either locate and notify the operator or owner of such vehicle or other property of the driver's name, address, registration number and owner of the vehicle the driver was operating or shall attach securely in a

conspicuous place on or in the vehicle or other property struck a written notice giving the driver's name, address, registration number and owner of the vehicle the driver was driving and (iii) without unnecessary delay notify the nearest office of a duly authorized police authority and (iv) make a written report of such accident within 10 days to the Illinois Department of Transportation. (625 ILCS 5/11-404)

5. Duty to Report Accident to Illinois Department of Transportation. An employee driving a vehicle as defined herein who is involved in a motor vehicle accident resulting in injury to or death of any person, or in which damage to the property of any one person, including himself, in excess of \$1,500 (or \$500 if any of the vehicles involved in the accident is subject to Section 7-601 but is not covered by a liability insurance policy in accordance with Section 7-601) is sustained, shall, as soon as possible but not later than 10 days after the accident, forward a written report of the accident to the Illinois Department of Transportation. In addition, in the event no police officer is present at the accident scene, the employee must give notice of the accident by the fastest available means of communication to the local police department if such accident occurs within a municipality or otherwise to the nearest office of the county sheriff or nearest headquarters of the Illinois State Police. (625 ILCS 5/11-406)
- B. Comply with all applicable Cook County requirements including, but not limited to, the following:
1. File a police report and complete all other reports required by law enforcement as soon as practicable but no later than one business day after a collision that results in property damage only. If the collision resulted in a personal injury or death police reports and all other reports required by law enforcement shall be filed within one-half hour after a collision.
 2. Exchange information with the other parties involved in the collision.
 3. Record the following information, if applicable:
 - i. Name and address, phone number of persons involved in the collision;
 - ii. Vehicle registration and insurance information;
 - iii. Name of vehicle's owner;
 - iv. Vehicle's license plate number, year, make, model, and vehicle identification number (VIN);
 - v. Description of damage and injury to all vehicles, persons, animals, objects, property, geographic or architectural object);
 - vi. Location, date, and time of the collision (i.e., intersection);
 - vii. Names of additional vehicle occupants, and their contact information; and
 - viii. Names of witnesses, and their contact information.
 4. Request a copy of the police report and any other report generated by law enforcement concerning the collision.
 5. Take photos of the scene (i.e., damage and location of collision), if possible.
 6. Refrain from making statements regarding the collision to anyone other than the investigating law enforcement officials, appropriate County officials, and representatives of his or her own insurance company if the employee's privately owned vehicle is involved.
 7. Submit to a drug and alcohol test in accordance with federal law, if the employee is a driver with a Commercial Driver's License (CDL) or if otherwise required by the employee's Department or Agency
 8. Within twenty-four hours of the collision, complete and forward a Vehicle Incident Form to the employee's Vehicle Coordinator. Within three business days of the collision submit the following documentation to your Vehicle Coordinator:
 - i. Name and address, phone number of persons involved in the collision (i.e., drivers);

- ii. Vehicle registration and insurance information;
- iii. Name of vehicle's owner;
- iv. Vehicle's license plate number, year, make, model, and vehicle identification number (VIN);
- v. Description of damage and injury to all vehicles, objects, and people;
- vi. Location, date, and time of the collision (i.e., intersection);
- vii. Names of additional vehicle occupants, and their contact information;
- viii. Names of witnesses, and their contact information;
- ix. Any other information collected at the scene of the collision;
- x. Any photos taken at the scene of the collision;
- xi. A copy of the police report and any other reports generated by law enforcement; and
- xii. A narrative explanation of the collision, from the employee's perspective.

Whenever an employee is physically incapable of following the above listed procedures, due to a personal injury occurring at the time of the collision, he or she shall comply as soon as possible but in no case shall an employee file a police report later than one business day after being discharged from the hospital if the collision resulted in personal injury or death.

II. Vehicle Coordinator's responsibilities following the reporting of a collision.

- A. Within three business days of receipt, review documentation submitted by the employee following a collision to ensure that all necessary information has been provided and submit the information to:
 - 1. Risk Management's General Liability Division; and
 - 2. Fleet Manager
- B. Maintain a record of all collisions and any tickets issued against employees (and their disposition) while using a vehicle defined herein. Such a record should include all of the following:
 - 1. Employee's name and address;
 - 2. Vehicle's license plate number and vehicle identification number (VIN);
 - 3. Police report number;
 - 4. Date and time when documentation submitted by the employee following a collision was forwarded to Risk Management;
 - 5. Date reported to the Fleet Manager; and
 - 6. Any remedial and/or disciplinary action taken by the department against the employee.

III. Risk Management's General Liability responsibilities following the reporting of a collision.

- A. Conduct an investigation with respect to bodily injury or property damage sustained by any third-parties involved in an accident with a vehicle defined herein. Should the County be deemed liable for the collision, Risk Management shall seek authorization of such settlements through the Finance Committee of the Cook County Board.
- B. Provide a quarterly report to the Collision Review Board of all accidents involving a vehicle as defined herein in which a claim for bodily injury or property damage has been submitted to Risk Management and for which payment has been approved by the Cook County Board.

IV. Collision Review Board's responsibilities following the reporting of a collision.

- A. Conduct an investigation with respect to bodily injury or property damage sustained by any third-parties involved in an accident with a vehicle defined herein and determine whether the reporting requirements were adhered to.
- B. On a quarterly basis, the Collision Review Board shall review all Collision Reports

concerning vehicle accidents involving employees that do not have their own accident review board to determine whether (1) proper reporting procedures were followed by the employee; and (2) appropriate remedial and/or disciplinary action was taken by the Department Head and/or Vehicle Coordinator.

- C. The Collision Review Board shall determine whether there was adherence to the Cook County Vehicle Collision Policy and shall forward its findings to the Vehicle Steering Committee in a quarterly report. The Vehicle Steering Committee shall report said findings to the Board of Commissioners on a quarterly basis.
- D. County Departments or Agencies that have their own internal collision review procedures must submit a letter from the Department Head indicating that their internal collision review procedures comply with this Collision Policy and shall annually provide a copy of the Department's or Agency's collision review procedures to the Vehicle Steering Committee. County Departments or Agencies utilizing their internal collision review procedures shall report to the Collision Review Board on a quarterly basis listing the collisions reviewed and the using Department's or Agency's findings, including whether any disciplinary action was warranted as a result of the collision. Quarterly reports received from using Departments or Agencies exercising their own internal review procedures will be forwarded to the Board of Commissioners by the Vehicle Steering Committee.

COLLISION OFFENSES

First Offense: Employees involved in a collision while driving a vehicle as defined herein in which the employee received a ticket and was found to be in violation of local, state or federal law may be prohibited from using a vehicle as defined herein for the purpose of conducting County business unless and until they complete a defensive driving course approved by the Illinois Secretary of State and furnish proof of completion to their Vehicle Coordinator. The Vehicle Coordinator shall be charged in determining whether a defensive driving course is required or if further action is required due to aggravating factors. Additional restrictions and/or discipline up to and including termination may be warranted due to aggravating factors.

Second Offense: Employees involved in a second collision while driving a vehicle as defined herein within five years in which the employee received a ticket and was found to be in violation of local, state or federal law may be prohibited from using a vehicle as defined herein for the purpose of conducting County business for at least 30 days from the date of the most recent collision and will be required to complete a defensive driving course approved by the Illinois Secretary of State and furnish proof of completion to their Vehicle Coordinator if no course was required following the employee's first offense. Additional restrictions and/or discipline up to and including termination may be warranted due to aggravating factors.

Third Offense: Employees involved in a third collision while driving a vehicle as defined herein within five years in which the driver received a ticket and was found to be in violation of local, state or federal law may be prohibited from driving a vehicle as defined herein for the purpose of conducting County business permanently or for a period of time. Additional restrictions and/or discipline up to and including termination may be warranted due to aggravating factors.

If an employee has been prohibited from using a vehicle as defined herein for the purpose of conducting County business and the prohibition interferes with the employee's ability to perform his/her job duties, the employee may be subject to discipline up to and including termination.

Each County Department or Agency shall maintain employee collision information in the employee's file for a period of five years from the date of the collision.

AGGRAVATING FACTORS IN A COLLISION

Regardless of the number of collision offenses by an employee, an employee may be prohibited from using a vehicle as defined herein for the purpose of conducting County business permanently or for a period of at least five years from the date of the most recent collision if the employee is also found guilty of any of the following, or their equivalent under applicable law while driving a vehicle as defined herein for the purpose of conducting County business:

- Operating to endanger;
- Reckless driving;
- Leaving the scene of an accident involving property damage;
- Operating a motor vehicle with a suspended or revoked license;
- Driving under the influence violations in the past seven years.

OTHER OFFENSES

An employee may be subject to additional discipline, up to and including termination if:

- An employee is prohibited from using a vehicle as defined herein for the purpose of conducting County business for any period of time, and that prohibition interferes with the employee's ability to perform his/her job duties;
- An employee fails to comply with the procedures listed above; or
- An employee provides information in an oral or written report required by this policy with knowledge or reason to believe that such information is false.