

The Redwoods Group Insurance Program for Jewish Community Organizations

RISK MANAGEMENT ALERT

Topic: 15-Passenger Vans – Still not a viable option

The question of whether 15-passenger vans are safe refuses to go away. They have recently been in the news because some insurers are willing to provide coverage for new models, citing the improvements that manufacturers have made and the fact that 15-passenger van related deaths have declined steadily since 2001. The assumption is that the decrease has resulted from improved technology and safer vehicles but there is a strong counterclaim that the reduction is actually the result of reduced passenger miles. Many entities and groups campaigned vigorously to eliminate the use of these vehicles and through those efforts numerous have been retired from passenger service and many others now carry fewer passengers at lower speeds. However, passenger miles are not a statistic that has ever been recorded so neither position can be validated as the lack makes year-to-year comparisons largely meaningless.

The perceived increase in safety is causing some JCCs to wonder if they should consider the new models. What are the issues? While it is not illegal to use 15-passenger vans for general transportation, there are restrictions regarding school-aged children. Legality aside, a duty is owed to all passengers, adult, or child – a duty to keep them safe from harm. It is not just to keep them safe *if* we can afford to do so. If we cannot afford to transport them safely we should not transport them at all.

The cited safety advances include stabilizer bars, rollover sensors, and crash sensors. While these are all good, they do not alter the vehicle's shortcomings:

- a high center of gravity
- flat sides that contribute to instability in crosswinds
- structural rigidity that was designed for the less demanding rigors of transporting cargo
- an already high center of gravity that is raised with each additional passenger
- seating configurations that place excessive weight on the left rear tire; coupled with under-inflated tires this often results in tire failure, often blow-outs

The vehicle's basic flaws are nearly impossible to alter. Manufacturers have not made significant changes in track (width of stance) that would reduce rollover tendency and some have even made the vehicles taller thus raising their center of gravity.

Interestingly, NHTSA's (National Highway Traffic Safety Administration) latest press release (05/12/08) did not comment on technology. It said they were dangerous and gave a list of safety precautions, all focusing on behavior.

- keep passenger loads light – five to ten maximum
- check tire pressure weekly; a recent study showed 74% of vans had under-inflated tires;
- replace tires per manufacturer guidelines regardless of tread depth– tires lose their integrity with age
- require all occupants to use their seat belts –nearly 80% of 15-passenger van fatalities did not
- use only qualified drivers – special training and experience are required for 15-passenger vans
- position passengers and cargo ahead of the rear axle and do not use roof storage (*this and the next are additional precautions not included on NHTSA's list*)
- watch speed and road conditions – rollover risk increases significantly at speeds over 50 mph

If your programming requires transportation, mini-school buses are the acceptable alternative most similar to vans. Most states do not require a commercial driver's license (CDL) for vehicles carrying 15 or fewer passengers.

Because we consider the improvements to be insufficient to alter our historical stance, dual rear wheels, seat belts, increased rollover protection (FMVSS 220), increased body joint strength (FMVSS 221), and passenger space compartmentalization (FMVSS 222) remain necessary for unqualified mini-bus approval. Other options include mini-vans or larger school buses.

Redwoods insured clients have worked very diligently to remove these dangerous vehicles from their transportation programs, but we must stay vigilant and continue to eliminate them until we can proudly say that none of our community is at risk from these vehicles.

Please call us at 800-463-8546 to discuss this or any other risk management safety tip, or visit our web site at www.redwoodsgroup.com to learn more about JCC risk management issues.

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