

Risk Management Fact Sheet: 15-Passenger Vans Pose Safety Risk

This material is for informational purposes only. It is not intended to give specific legal or risk management advice, nor are any suggested checklists or actions plans intended to include or address all possible risk management exposures or solutions.

You are encouraged to retain your own expert consultants and legal advisors in order to develop a risk management plan specific to your own activities. For more information, contact us at 770-466-1000 or 1-800-659-1232 Ext. 4325

Federal studies, recently passed laws, and the all-too-frequent word of fatal accidents are causing concern about the use of 15-passenger vans by schools and churches.

Consider these recent newspaper headlines:

"Big Loads in Big Vans Carry Big Rollover Risk"

"Seven Killed, Three Hurt When Church Van Flips in California"

"Church Van Rolls Off Roadway"

In April 2001, the National Highway Traffic and Safety Administration (NHTSA) issued a study of more than 2,000 of the popular 15-passenger vans that showed the following relationship between load and probability of a rollover:

- Fewer than 10 passengers: 12.7% may rollover.
- Ten and more passengers: 35.4% may rollover.
- Sixteen and more passengers: 70% may rollover.

By comparison, passenger cars have a rollover risk of less than 10%. Combine the increased rollover potential with the lack of seatbelt use, poor driver selection, passenger misconduct, and the lack of side impact protection, and the risks of fatality and serious injury when involved in a van accident are great. It is unclear how widespread changes will be as a result of this study. The Federal government seems to be serious about their enforcement. In mid-1997, NHTSA took legal action against six automobile dealers it alleges knowingly violated the law by selling vans to school clients for student transportation use.

More pressure is being put on states to conform to the federal law and pass state laws regarding use of the vans. The families of accident victims are applying much of this pressure. Much like the issue several years ago on the use of pre-1977 manufactured school buses, more insurance companies are re-thinking their coverage of churches and schools that utilize these vans. Policyholders should expect more information, reports, and possible changes or more stringent requirements attached to their coverage.

In the interim, churches and schools that currently own 15-passenger vans should adopt several key safety practices:

In order of priority, require drivers to have

- A Commercial Driver's License (CDL) OR
- A Chauffeur's License, OR
- Pass a defensive driving course to operate a 15-passenger van.

The course must meet the following minimum requirements:

Note: Internet-based programs are acceptable.

- Four (4) hours of instruction time.
- Testing with written results.
- Driver certification.

Examples of nationally recognized programs that meet this requirement include, but are not limited to, the following.

Note: These programs are sponsored by the [National Safety Council](#).

- Coaching the Van Driver II.
 - Coaching the Driver.
 - DDC-4.
 - DDC-PC, Online.
- Carefully screen all drivers.
Do pre- and post-trip inspections of the vehicle.
Communicate safe procedures to all occupants.
Require seatbelt use by all passengers.
Have safety items on board the vehicle (cell phone, first-aid kit, fire extinguisher).
Do not transport children to and from school using these types of vehicles.

Specifically to prevent rollovers, churches and schools should

Buy high quality tires.

Keep the gas tank as full as possible.

Drive conservatively.

Fill the front seats first.

Never load items on the roof.

Remove the backseat.

It is the responsibility of every church and school to ensure the safety of the passengers it transports.

Reducing the possibility of crashes and injury should be foremost in the minds of every church.

IF YOU WOULD LIKE US TO HELP MEET YOUR INSURANCE NEEDS PLEASE CONTACT US AT 770-466-1000 OR 1-800-659-1232 Ext. 4325