

Cover your assets with company vehicles



A whopping 40 percent of vehicles on U.S. roads are company-owned, logging nearly eight billion miles per day! And employees driving company vehicle log about 20,000 to 25,000 miles per year— nearly twice the mileage driven by drivers of non-company vehicles.

Our clients in almost every industry have company vehicles driven by employees. This is a practical necessity for running many businesses, but it also brings risks.

As a commercial construction and restoration company, we have an extensive fleet of commercial vehicles, which our employees use regularly in serving our customers. We've had our share of commercial vehicle challenges, and we thought we'd share a few tips for managing the risk effectively. | [CONTINUED >](#)

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Cover Your Assets with Company Vehicles *(continued)* >

Depending on circumstances, employers may be legally liable when an employee is in an accident with a company vehicle. It depends on the circumstances. The legal concept that governs this is vicarious liability.

Liability legally refers to who bears financial responsibility for damages. Your employees are responsible for good driving, but as the employer you're responsible for providing safe vehicles, and you can be held responsible for the actions of employees who are on the clock.

When employees are acting within the scope of their employment and on company business at the time of an accident, the employer is accountable for the employees' actions, including if the employee injures someone.

If your employee is not at fault in an accident (such as due to distracted driving, speeding, or failure to yield) you're not vicariously liable.

Maryland is one of only five states that follows the rule of contributory negligence, which means that plaintiffs are completely barred from recovering damages if they are found to be even slightly at fault. This is considered a harsh rule, but means that your employee might not have to share the blame for a crash with other parties involved.

Vicarious liability also doesn't apply to criminal behavior. If your employee commits a crime while using a company vehicle, vicarious liability would not apply even if the employee was on the job at the time. (This would include driving while intoxicated.) Also, if an employee runs a personal errand while driving a company vehicle causes an accident, the victim cannot sue your company, and an employee may be responsible for paying you compensation.

Unfortunately, fault is not always clear, and in complex cases, insurance companies determine who is to blame (and how much) and whether vicarious liability applies. When insurance companies don't come to agreement, an accident dispute can go to trial. You definitely want to avoid lawsuits involving company vehicles, which can create financial challenges and reflect badly on the business.

Occupational Safety and Health Administration (OSHA) statistics show that the average cost of medical care, legal expenses, and lost productivity for an employer-based accident in a company vehicle is about \$74,000. When you add liability for physical injuries, you could be looking at millions of dollars in compensation. | [CONTINUED >](#)



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EMPLOYEE SPOTLIGHT

Britney Mayala

CONSTRUCTION SUPERVISOR

What do you enjoy most about your role?

What I enjoy most is the variety of projects. PBI has established a unique range of projects with well-known, exciting companies and industries. Working behind the scenes, I have the satisfaction of making a construction site or restoration job come to life. It's also a pleasure to work with such a collaborative group of people.

You've been at PBI for a few months. How has it been for you so far?

Wonderful! A lot of laughter! Everyone I've met is personally invested not only in their roles but in the growth of this company.

What kind of work did you do before PBI?

I started my career interning at a small tax firm in Boston. After relocating to Maryland, I was hired as a Senior Project Accountant for a Maryland-based construction company. A couple of years later, I decided to go into non-profit accounting, working for different charitable institutions. I realized that I preferred the construction industry—that's how I found myself at PBI!

What's a project pr accomplishment you're particularly proud of?

Ppersonally. I'm proud to be a woman working in the construction industry. Construction is stigmatized as being a male-dominated industry. Representation matters to me personally and I take great pride in the work I do. I see more and more women in the construction industry



whether taking on a trade and working in the field, doing project management or working in the office. It's my hope to encourage other young women to join construction.

What advice would you give someone starting in a similar role or joining the PBI team?

Bring pen, paper and an open mind! PBI is always growing and changing. I have learned so much in my time here. Everyone has been transparent and open to sharing information that is applicable not only in the workplace but in my everyday life. You'll learn a lot here! ■

Top 5 Ways to Mitigate Liability For Company Vehicle Accidents

Here are our best tips for preventing problems and minimizing liability for employer-driven company and fleet vehicles:

1. MAINTAIN YOUR VEHICLES.

Well-maintained vehicles are undeniably safer. Sometimes, accidents aren't the fault of the employee, but a problem with the vehicle. If that's the case, you may be held liable for injuries to the employee as well as other damages caused by the accident.

Make sure all company cars, trucks or vans are in good shape. Tires should not be worn, and all safety features must be working. Keeping company vehicles on a regular preventive maintenance schedule is crucial, with a mechanical inspection at least annually.

2. SECURE MATERIALS FOR TRANSPORT

If your fleet is used to transport materials, ensuring they are safe and secure is paramount. Unsafe movement or loss of unsecured objects (such as tools or construction materials) is a common cause of accidents.

3. TRAIN EMPLOYEES

It's worth investing time and effort to train employees in safe driving, use of all gear and equipment, and how to transport materials. Ongoing safety training—which reinforces attitudes as well as skills—not only educates employees on safe practices, but builds a company culture that supports safe driving. Make expectations and rules clear to all company vehicle users. You may even want to reward safety-conscious behavior.



4. NIX DISTRACTED DRIVING

Distracted driving is one of the top causes of all car accidents, and this holds true for company vehicle users. In addition to training and company culture, as noted in the previous tip, equipping all vehicles for hands-free operation of communication devices is a must.

5. MAKE SURE INSURANCE COVERAGE IS ADEQUATE

Your company insurance coverage should be sufficient to protect you, your vehicles and your employees against all the possibilities. It's worth consulting with an insurance specialist to be sure your coverage is adequate for your industry, the size of your company and fleet, and the state in which you live. ■

Emergency restoration and repair after fire and water damage



WHEN FIRE AND WATER DEVASTATED A GOVERNMENT BUILDING. THEY NEEDED HELP FAST.

In February and March, PBI was called in by a government contractor to work on a Department of the Interior building (General Services Administration) following a fire and subsequent water damage. And we got to work!

On five floors and stairwells, PBI extracted water, blocked and protected contents, and set up drying equipment and protocols. We set up containment barriers and installed air machines, and performed odor treatments and deodorization. We monitored until all dry readings had returned to normal. Then we cleaned and treated smoke damage from all surfaces and contents. We performed ambient air testing.

Repairs including installing new drywall, prep for painting, and then the painting. We also cleaned trunk lines and air handling units once repairs were done. Then after final cleanup, there was a final re-set of all contents.

This was a challenging job because it was a government building. There were many moving parts. The scope of work was challenging to identify with all stakeholders, and many damages needed addressing, which drew on a wide range of PBI's skills and services. We ended up providing an "a la carte" menu option for restoration and repair, allowing the client to choose what they wanted done and where. A tremendous amount of communication was required to finalize the scope of work, and then throughout the project.

The job was urgent because people needed to get back into their offices. We were right for the job because we could handle both repairs and restoration, were flexible with scope of work options, and were able to execute quickly! ■