

**VOLUNTEER DRIVER
SAFETY AND INSURANCE REPORT
(RESULTS OF A SURVEY OF MEMBERS OF *THE STP EXCHANGE*)**

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SAFETY AND INSURANCE SURVEY RESULTS

RESPONSES FROM

STP EXCHANGE MEMBER SERVICES WITH VOLUNTEER DRIVERS

Background The purpose of the survey was to identify challenges and concerns related to safety and insurance in transportation services that involve volunteer drivers. The survey was undertaken with members of the web-based STP Exchange. Members were contacted about the survey via e-mail on September 16, 2009, and the announcement included a link to the on-line survey which included twenty brief questions. The survey closed on October 2, 2009.

Survey Respondents Forty percent of the 186 STP Exchange members that involved volunteers in their driver pool, responded to the survey. 81% of the respondents said that 80-100% of the passengers they served were age 60+. A profile of the respondents is included on the following chart.

Profile of Survey Respondents

Number of Respondents (74)	Service Affiliations
Average # Years in Operation (16)	Aging Services (45%)
# of Represented States (27)	Stand Alone Service (29%)
Types of Drivers	Human Services (14%)
Volunteers Only (61%)	Community Transit (8%)
Volunteers and Paid (38%)	Public Transit (4%)

Summary of Results Respondents to the survey offered considerable insight into the safety and insurance aspects of their volunteer drivers. Below is a summary of what they said.

- Volunteer drivers are safe drivers. **(96%)**
- Volunteer drivers have not had crashes or mishaps resulting in bodily injury or property damage. **(83%)**
- Volunteer drivers use their own vehicles. **(85%)**
- Services purchase insurance that covers volunteer drivers and/or the volunteer driver program. **(74%)**
- Services do not face challenges securing insurance for volunteer drivers and/or their volunteer driver programs. **(93%)**
- Services require volunteer drivers to have at least the state minimum required automobile insurance to volunteer drive their vehicles. **(93%)**
- Prospective volunteer drivers do not express concerns about insurance cancellations before they become volunteer drivers. **(81%)**
- Prospective volunteer drivers do not express concerns about insurance increases before they become volunteer drivers. **(69%)**
- Volunteer drivers do not express concerns about insurance increases or cancellations after they become volunteer drivers. **(93%)**
- Volunteer drivers do not have their insurance premiums increased or their insurance cancelled because they are volunteer drivers. **(89%)**

Discussion of Results Survey respondents offered numerous comments and suggestions regarding both safety and insurance. Many of them are included below.

1. Why do transportation services say their volunteer drivers are safe drivers?

In response to a rating question, the top three reasons respondents identified were: #1 “We check the driving records of our volunteer drivers”; #2 “Our passengers report volunteer drivers who are unsafe drivers”; and #3 “They have been driving for many years.” These three reasons were verified in open ended comments. However, one respondent commented that screening did not provide information about the driving limitations of their senior drivers and another commented that a major concern was how to terminate the volunteer driving service of an older driver.

2. Do crashes or mishaps resulting in property damage or bodily injury occur while volunteer drivers are driving for transportation services?

Only 17% of the respondents reported such events, and the majority of them were identified as “fender-benders” or caused by another car, or weather related. In describing passenger mishaps inside the vehicle, only two respondents said that passengers were injured, and one of referred to a passenger who fell inside the vehicle. In describing passenger mishaps outside the vehicle, one respondent noted that occasionally passengers fall or stumble and one respondent said that a passenger fell out of the vehicle. Two respondents indicated that drivers were injured while helping passengers.

3. Do insurance requirements present challenges to services that own or lease vehicles?

41% of the respondents reported that they owned or leased vehicles. While one service indicated that it owned a van and insuring volunteer drivers was a challenge, and another commented on the industry-wide increase in the cost of insurance premiums, none of the services reported severe challenges.

“The contractor pays insurance, we pay contractor.”

“Our insurance company only requires us to obtain a clear driving record through their checks before putting volunteer drivers on the service.”

“We are part of a non profit insurance pool....no issues.”

“We are self-insured.”

“Volunteers use their own cars/must have insurance, then we as an organization, also provide insurance

“Volunteer drivers carry the state mandated insurance as primary, we provide umbrella coverage.”

4. Do insurance requirements present challenges to services that charge for rides?

27% of the respondents reported that they charged for rides. While some respondents reported that they experienced no insurance challenges, one reported that it avoided challenges because its drivers were bonded and licensed, and several said they avoided challenges because they did not charge for rides provided by volunteer drivers.

At the same time, other respondents indicated that, in fact, they do face a variety of challenges. Their comments are included on the following page.

4. Charge for Rides (Continued)

“Some (insurers) interpret this to mean the volunteer driver is subject to ‘for hire’ status because we are charging for rides.”

“They (insurers) tried to convince us that this made us a livery service, but we somehow got around that. If volunteer drivers used their own cars we could purchase volunteer insurance only if we didn’t charge a fee.”

“Insurance and liability is an ongoing concern. We are currently looking into changing our policy around this.”

“Our Board of Directors sees the Transportation program as high risk.”

5. Do services purchase of insurance coverage for volunteer drivers?

26% of the respondents indicated that they did not provide insurance coverage for their volunteer driver programs. Their comments are included below.

“Insurance only for the program, not individual drivers.”

“We verify their personal coverage.”

“Our Insurance company said we don’t need to cover.”

“No policy for 300+ drivers most over 65 years of age.”

“Drivers are responsible for carrying extra insurance on their own.”

“We require proof of insurance when they begin driving.”

“We provide liability, employment practices, and D&O insurance.”

Some respondents indicated that others provided insurance:

“The contractor purchases insurance.”

“The county provides insurance.”

“Insurance is provided through RSVP (Retired & Senior Volunteer Program).”

“Risk Management Insurance is provided through the state.”

“Our volunteer driver insurance is through a car sharing program and the drivers are technically members, but we are billed for the hours that they drive.”

“The city is insured through a joint powers authority, which also covers volunteer drivers, passengers and vans.”

Most comments from respondents indicated that the volunteer drivers insurance is primary, and insurance provided by the organization is secondary. Several noted that they secured insurance for their volunteer driver programs through the CIMA companies. A number of respondents described insurance purchases including:

- *general liability plus unowned vehicle insurance*
- *primary liability insurance provided by volunteer drivers*
- *secondary insurance on all volunteer drivers*
- *supplemental liability insurance that is secondary to the volunteer driver’s personal insurance*
- *balloon coverage that is realized when an incident reaches the limits of the volunteer driver’s coverage.*
- *An umbrella policy above and beyond a volunteer’s own insurance, that is realized when an incident reaches the limits of the volunteer drivers coverage*

5. Do services face challenges securing volunteer driver and program insurance?

Only 7% of the respondents indicated they faced challenges securing insurance for their volunteer drivers and/or their volunteer driver program, and one indicated they did not even try to secure a policy. Of those who identified challenges, one respondent said it was not a problem, but there were very limited options; another said it was hard to establish a track record; another said that the premium cost too much; and still another said that some insurance companies said their insurance premiums were higher because their service was similar to a livery service because its drivers were reimbursed for mileage. Two comments suggested that there was a relationship between insurance coverage and assistance to passengers, and one even suggested the relationship caused them to consider limiting volunteer driver assistance to passengers.

"We make a point of saying that the riders need to be ambulatory and that the volunteers offer limited assistance."

"We offer curb to curb but are considering 'no assistance' policy for drivers."

6. Are volunteer driver concerned about increases in insurance premiums?

Almost one-third of the respondents (31%) reported that some of their prospective volunteer drivers had expressed concerns about increases in their automobile insurance premiums because they might become volunteer drivers. One reported a prospective driver heard from another driver that his insurance would be increased, and several reported that they were told about possible increases by insurance agents and brokers.

"In some cases insurance agents have told them their rates would be increased because they are in service as volunteer drivers."

"One new driver called his insurance company before driving and they told him they would charge him extra each year if he was volunteering to drive people, even though it is not a paid position."

Some reported that the volunteer drivers were not only concerned about premium increases, but they also were concerned that, they would be sued if they had an accident. Others said they told their prospective drivers that they should incur no increase in premiums. Other comments were related to the how the concerns should be addressed.

"Premiums should not be affected by incidental use of a vehicle for volunteer use."

"Insurance companies should not increase premiums because the passenger is not a family member. The number of miles driven might be the only issue."

"There may be a need for additional coverage when additional mileage is incurred. However, there are very few...increases in the amount of miles driven."

"Their insurance agent tries to sell them commercial coverage. When we call or tell the volunteer what to say the issue goes away."

"Volunteer Drivers were threatened that their policy would not be renewed and some were told they had to carry higher coverage. In both cases we were able to get the insurance companies to understand the volunteer driver role and they reversed their decisions."

7. Are volunteer drivers concerned about their auto insurance being cancelled?

Only 19% of the respondents indicated that prospective volunteer drivers had expressed concerns about their automobile insurance being cancelled because they might become volunteer drivers. One respondent indicated that it was the insurance company and another that it was the insurance agent that had told the drivers they would not be covered for their volunteer driving. In such instances, the prospects decided not to be a volunteer driver or changed insurance companies. Four respondents reported the following methods for addressing such concerns.

“Because their insurance agents have threatened them, I share the letter from the state Insurance Commissioner and tell them to share the letter with their agent.”

“We give them a copy of the state statute that protects them or we refer them to our insurance agent and he will work on getting them quotes.”

“We give each new volunteer copies of two state statutes explaining our state's Good Sam laws. We discuss their right to take passengers where they wish. Many have pointed out that curtailing choice could be considered discrimination.”

“I called the State Dept. of Commerce and talked to their Agents so they understood we were a nonprofit agency operating a volunteer driver program to complement the transit buses and the volunteer drivers were not for hire or employees.”

8. Are insurance premiums increased or are insurance policies cancelled because policy holders are volunteer drivers?

Only 7% of the respondents indicated volunteer drivers expressed concerns about increases in premiums or cancellations of insurance after they became volunteer drivers and only 8 respondents indicated that drivers actually had premiums increased or insurance cancelled after they became volunteer drivers. Most indicated that the concerns were resolved at the orientation or when they explained the type of insurance coverage provided to volunteer drivers through the program. At the same time, one respondent commented that perhaps a continued concern was the reason some drivers do not turn in their paperwork after the orientation. Other respondents said they were not aware of any actual premium increases after volunteers became volunteer drivers, and one respondent commented that a volunteer driver's premium actually decreased because of an AARP driver safety class.

9. Would it be helpful if states passed a law preventing insurance companies from raising automobile insurance premiums or cancelling insurance policies of volunteer drivers?

Only 13% of the respondents indicated that such a state law would not be helpful. They offered the following reasons for their response.

“This does not seem to be a problem.”

“I don't believe it even happens.”

“We have seen/heard no impact.”

“I don't believe they can do that now.”

“In the past State Insurance Commissioners have been approached to agree to enforce this concept, but it was not accepted uniformly.”

“The state does not need to regulate.”

“This should be done at the federal level.”

9. State Law (Continued)

A whopping 87% of the respondents said that such a state law would be helpful. The reasons they gave for their response could be described as preventive, supportive, and protective measures. These are discussed below.

Preventive Measures

"...to avoid these issues in the future, but right now it's not a problem."

"Even though we have not had a problem, there is nothing to say that it won't eventually happen."

Supportive Measures

"It would be an additional incentive in recruiting volunteer drivers. We may be able to get more volunteers."

"Any assurance that volunteer drivers have to ensure their personal safety is a plus to getting and keeping volunteers."

"We would be able to draw upon more volunteers as there is still always the fear and that is the reason a lot will not volunteer. Those who do volunteer don't have that fear."

"It would provide peace of mind to all volunteers."

Protective Measures

"Any protection for volunteers would be appreciated."

"The more protection for our volunteer drivers the better."

"Why penalize someone for doing good for others."

"It would get rid of the "gray" areas for our volunteer drivers."

"With the insurance companies regulations changing, we need to protect those volunteer drivers insurance rates and cancellations if it could happen."

"It would be nice if we had a law that prevented insurance company's from bullying volunteers into either paying more for their insurance or not volunteering for wonderful programs."

"We are a young program and are learning about insurance barriers to service. The volunteer drivers are the largest challenge. A state law prohibiting insurance companies from raising premiums or cancelling coverage would help a great deal."

"We need clear rulings that protect volunteer drivers in the event of an accident."

Rules must also protect the agencies that run programs so the volunteers are not categorized as employees or for hire."

In conclusion, while it appears that respondents placed great importance on passage of a state law for reasons of prevention, support, and protection, national rather than state legislation may be what is really needed. At the same time, one respondent who did not believe in preventive legislation suggested that:

"This legislation is a solution in search of a problem."

end of report