

### 3. Insurance

This section provides information on insurance coverage and/or insurance requirements for DHR vehicles and non-DHR vehicles operated by a variety of organization types. Manual users should note that requirements differ based on vehicle ownership and organization type. If there is a question about insurance coverage or requirements, the RTO should be contacted for clarification.

#### a. Insurance and Non-Profit Organizations

##### 1) Non-Profit Organizations and Human Service Providers (HSP's) Operating DHR Vehicles

###### A. State Vehicle Liability Coverage

The Department of Administrative Services (DOAS), Self Insured Program carries a Blanket Automobile Comprehensive Liability Policy. This policy provides liability insurance for State employees and authorized drivers in all State departments, boards, agencies and instrumentalities against loss resulting from accidents arising out of the use of State-owned vehicles and/or vehicles on long-term leases to the State. The Automobile Liability coverage must be purchased on vehicles titled to the State or on vehicles on long-term leases to the State.

###### **Exclusions:**

- This coverage does not apply unless an insured's employee is operating an automobile in the course of employment.
- Temporary employees who work for employment agencies are not permitted to operate state owned vehicles.

**This coverage does not apply to for-profit-agencies operating DHR owned vehicles.**

###### **Insured:**

- All State of Georgia Government Entities that include State Offices, Agencies, Departments, Commissions, Boards, Divisions or Institutions.
- Non-profit agencies and their employees, whose agencies have contracted with the Department of Human Resources.
- Any employee of the State of Georgia while operating an automobile owned by the State, its agencies or its instrumentalities.

- Persons authorized by DHR to operate state owned vehicles when said authorization is for a specific DHR purpose and said authorization is in writing.

**Limits of Liability:**

- For State, Community Service Board or Health Department employees operating a State vehicle:
  - **\$1,000,000.00 per person; \$3,000,000.00 per occurrence**
- For all other drivers (i.e. non-State employees, contracting agencies, and other DHR authorized drivers):
  - **\$500,000.00 single aggregate limit**

**Premium Charges** - Vehicle insurance premium invoice notices are sent to vehicle operators on an annual basis, usually in July.

**B. State Vehicle Physical Damage Coverage**

Vehicle Physical Damage Coverage provided under the DOAS Self Insured Program insures against the risk of physical loss, damage or theft of State or long-term leased vehicles. Please refer to the Office of Facilities and Support Services Risk Management Program Claims Manual for more information.

**Exclusion:** DHR Owned Vehicles that are operated exclusively by a For-Profit agency/contractor must provide their own Physical Damage Coverage per the DHR Vehicle Use Agreement outlined in Part 1.3 of the DHR Office of Facilities and Support Services Risk Management Programs and Claims Manual.

**C. Accident Reporting for State Owned or Leased Vehicles**

When an accident occurs, the vehicle driver must report the accident immediately to their supervisor or designated insurance coordinator. The organization must immediately report the vehicle accident or passenger injury as outlined below. Failure to report as outlined could result in the transfer or reassignment of a DHR vehicle.

**Reporting**

- **By phone report to:**

State of Georgia DOAS  
Self Insured Program  
Toll Free Phone: 1-877-656-RISK (1-877-656-7475)

THIS CALL SHOULD BE MADE AS SOON AS POSSIBLE AFTER THE ACCIDENT. Please refer to the vehicle's yellow Auto Liability Insurance Identification Card or the reporting procedures for further information regarding what to expect during the call.

▪ **Complete and fax the DHR Initial Vehicle Accident Reporting Form (See Exhibit 40) to:**

DHR Risk Management  
Fax number: (404) 657-6215  
Phone number: (404) 651-8089

- DHR Risk Management is responsible for notifying the RTO of the accident by faxing a copy of the DHR Initial Vehicle Accident Reporting Form to the RTO.
- The organization must follow up within 7 days following the accident by sending the Supervisor's Accident Investigation Report, Form 5286 (See Exhibit 41) and a police report to DHR Risk Management. If the accident happened on private property and there is no police report, the organization must complete the Personal Report of Accident form (See Exhibit 42). Mail or fax reports to the DHR Risk Management Office below.

DHR Risk Management  
Office of Facilities & Support Services  
2 Peachtree Street, NW, Suite 29.494  
Atlanta, Georgia 30303-3142  
Phone number: (404) 651-8089  
Fax: (404) 657-6215

**Notice of Claim and Proof of Loss:**

**DHR Risk Management must receive notice of loss within 7 to 10 days after the loss is discovered. All repair work must be completed and all the required documentation submitted to DHR Risk Management within 90 days of the accident date. Claims for**

**reimbursement received after the 90-day cut off date will not be reimbursed.**

**Recovery of Losses:**

- **Glass Breakage** - Secure two (2) estimates, have the window replaced by the lowest bidder, and submit a paid invoice along with the two bids to the DHR Risk Management Office. There is a \$250 deductible for this type of claim.
- **Vehicle Damage (when your driver is at fault)** - Secure one (1) estimate; if the bidder's repair estimate is below \$2,500.00, have the vehicle repaired by this bidder and submit a paid invoice, the estimate, police report and the Supervisor's Accident Investigation Report (Exhibit 41) to the DHR Risk Management Office. There is a \$250.00 deductible for this type of claim.

If the estimate is over \$2,500, the organization must contact the DHR Risk Management Office for specific instructions concerning the vehicle repair.

- **Vehicle Damage (when your driver is not at fault)** - Your local insurance coordinator should notify the other driver's insurance company and coordinate repairs or settlement with them. If the damage estimate reflects a "total loss," immediately notify the DHR Risk Management Office.
- **Insurance Reimbursement** - After you obtain authorization for repairs above \$2,500, but less than a "total loss", you must repair the vehicle before you will be reimbursed. If the damaged vehicle cannot be driven back to the organization, call the Risk Management Office for Specific instructions.

Submit all storage and towing charges along with the estimates, a copy of your purchase order for the vehicle repair and/or a copy of the paid invoice and check, police report, and the Supervisor's Investigation Report to the DHR Risk Management Office.

Please refer to the Office of Facilities and Support Services Risk Management Program Claims Manual for more information.

## **2) Non-Profit Organizations and Human Service Providers Operating Non-DHR Vehicles**

Non-profit organizations are responsible for securing their own vehicle insurance coverage on non-DHR vehicles used to provide transportation to DHR consumers. DHR requires the vehicle operator carry a minimum of:

- Liability insurance coverage of \$100,000 per person and \$300,000 per occurrence and
- Bodily injury and property damage coverage in the amount of \$100,000 per person, and \$300,000 per occurrence.

### **b. Insurance and For-Profit Organizations**

#### **1) For-Profit Organizations Operating DHR Vehicles**

Currently, there is no provision under Georgia Law that allows For-Profit organizations to avail themselves to the State Vehicle Liability Coverage that is currently available to our State Agencies and our Not-For-Profit organizations. The Georgia Law states that all motor vehicles must be insured. The For-Profit agency that will be using DHR owned vehicles must provide their own vehicle insurance per the conditions of the DHR Vehicle Use Agreement, found in the DHR Office of Facilities and Support Services Risk Management Programs and Claims Manual, pages 1.3.4 to 1.3.6 (see also Exhibit 39 of this manual). The DHR Vehicle Use Agreement must be signed by all parties and the appropriate Certificate of Insurance must be issued by the For-Profit's insurance company to DHR and shall list DHR as the certificate holder and include the Regional Transportation Office contact information.

The DHR Vehicle Use Agreement, the appropriate Certificate of Insurance and a copy of the For-Profits contract with DHR must be received in, and accepted by, the Office of Facilities and Support Services, Risk Management prior to the For-Profit agency/contractor operating a DHR owned vehicle.

The following coverage is required on DHR vehicles.

- Liability insurance coverage of \$1,000,000 per person and \$3,000,000 per occurrence and
- Bodily injury and property damage coverage in the amount of \$1,000,000 per person, and \$3,000,000 per occurrence.

## **2) For-Profit Organization Operating non-DHR Vehicles**

For-Profit organizations are responsible for securing their own vehicle insurance coverage on non-DHR vehicles used to provide transportation to DHR consumers. DHR requires the vehicle operator carry a minimum of:

- Liability insurance coverage of \$100,000 per person and \$300,000 per occurrence and
- Bodily injury and property damage coverage in the amount of \$100,000 per person, and \$300,000 per occurrence.

## **3) For-Profit Organization Accident Reporting**

For-Profit organizations are responsible for having written procedures for handling accident reporting internally. When an accident occurs which involves a DHR passenger or a DHR vehicle, the For-Profit organization must complete a DHR Initial Vehicle Accident Reporting Form (Exhibit 40) and fax it to the RTO.

### **c. Insurance Coverage Related to Use of Privately Owned Vehicles**

Employees of State of Georgia government entities (see insureds below) who operate their privately owned vehicle in performing their job, receive liability insurance coverage under the State's Tort Claims Insurance Policy. There is no direct cost to the employee. For a liability claim, Tort Claims would provide primary or first coverage. There is no deductible. However, if an employee operates a privately owned vehicle and typically transports consumers, then their personal insurance would likely increase once the carrier is made aware of the situation. The Tort Claims Insurance Policy does not provide property damage (collision).

The State Tort Claims Liability Insurance Policy is referenced for the following information:

- The insurance policy is issued by the State of Georgia, Tort Claims Trust Fund, Department of Administrative Services. The renewal of this policy is automatic each year on July 1.
- The legal reference is O.C.G.A.50-21-20.
- The named insureds are all State of Georgia Government Entities, which include State Offices, Agencies, Authorities, Departments, Commissions, Boards, Divisions, Instrumentalities or Institutions (this now includes Community Service Board Employees).

- Specifically within DHR this coverage is applicable to employees, board members, volunteers whose application for liability coverage is received and approved or a foster parent in a certified foster parent home.
- The policy coverage will pay from the Tort Claims Trust Fund all sums the department becomes legally obligated to pay as damages, court costs and litigation expenses because of negligence of a DHR state employee, board member, CSB employee, approved volunteer or certified foster parent. Typically the negligence would occur while the covered individual was performing their official duties. This could be an individual that is transporting a consumer in their personal vehicle.

The limits of liability are \$1,000,000 each person, \$3,000,000 aggregate occurrence.

**d. Volunteers**

Volunteers are prohibited from driving state owned vehicles.

Liability insurance coverage is available for individuals who participate without compensation in a volunteer program organized, controlled and directed by a DHR State entity. If a volunteer is being utilized as a transporter, the utilizing organization is responsible for insuring that the volunteer has a current valid drivers license for the class of vehicle to be used and proof of private automobile insurance for the vehicle to be used for transporting consumers. A photocopy of the volunteer's driver's license and the valid vehicle insurance card must be made and maintained in the utilizing organization's volunteer files. For more information, refer to the DHR Risk Management Programs and Claim Manual, pages 1.4.1 through 1.4.5.