

Chapter 2400 - Insurance and Surety Bonds

2400 GENERAL POLICY

(Revised 9/96)

The Office of Risk and Insurance Management (ORIM), Department of General Services, is available to consult on risk and insurance management issues. Additionally, ORIM has responsibility for most of the state's insurance and safety programs.

2410 AIR TRAVEL INSURANCE

(Revised 9/96)

State agencies may insure their officers and employees against injury or death from aircraft accidents while flying on state business in all but regularly scheduled passenger aircraft. See Department of Personnel Administration (DPA) Rule 599.628(d) for qualifications. Agencies in need of this coverage should inform ORIM in writing the number of employee passengers and employee pilots separated between represented and nonrepresented employees.

2420 MOTOR VEHICLE LIABILITY SELF-INSURANCE PROGRAM

(Revised 12/04)

The ORIM administers the State Motor Vehicle Liability Self-Insurance Program (VELSIP), which provides unlimited self-insured liability coverage for the state, agencies, and employees who operate covered self-propelled land vehicles on state business (California Vehicle Code Sections 17000 and 17001). Effective January 1, 2004, liability coverage is limited to \$1 million per occurrence/accident when the state vehicle is operated by a non-salaried employee (i.e. student assistant, volunteer, etc.) on state business. The driver's employing department/agency will be financially responsible for the payment of any claims, settlements, judgments or verdicts in excess of \$1 million. The VELSIP provides excess liability coverage for state employees on state business while driving non-state vehicles, but only after the vehicle owner's liability policy limits have been paid. The VELSIP does not provide coverage for injury to state employees nor for damage to state vehicles. Employee injuries are handled through Workers' Compensation coverage. Damage to state vehicles are handled through the budget of the owning state agency.

2430 MOTOR VEHICLE ACCIDENTS AND REPORTING

(Revised 03/02)

If involved in a motor vehicle accident while on state business, state employee drivers **must report the accident within 48 hours** (regardless of the ownership of the vehicle) on a Vehicle Accident Report form, STD. 270, to the:

Office of Risk and Insurance Management (ORIM)
707 Third Street, First Floor
West Sacramento, CA 95605
(916) 376-5300. CALNET 480-5300

Should the accident result in **bodily injury** to anyone **other than** the state employee, the accident must be **immediately** reported to the ORIM by telephone or an advance faxed copy of STD. 270. On weekends, call (916) 376-5295, CALNET 480-5295 to leave a Voice Mail.

An Accident Identification card, STD. 269, should be carried in the glove compartment of all state vehicles. This card should be completed and the tear-off portion given to the other party. The card provides a convenient place to write down pertinent information while still at the accident scene. This information should be transferred to the STD. 270 for mailing (or faxing) to ORIM.

For reporting purposes,

An **accident** is defined as one that involves a state-owned vehicle (or a non-state-owned vehicle operated by a state employee on state business) where there is damage caused to **another** person or property.

An **incident** involves **only** a state-owned vehicle where the damage, **regardless** of the amount, is limited **just** to the state

vehicle which was **stationary** at the time the damage occurred. **Incidents** should **not** be reported to ORIM.

State employees should not discuss the accident with anyone other than the police, their supervisors, ORIM Claims Unit, or the independent adjusting company under contract with ORIM. If contacted by the other party, their attorney or insurance company, the state employee should refer the party or correspondence to ORIM Claims Unit. Under no circumstances should the state employee driver give either a written or recorded statement to the other party or their representatives.

If served with any post-accident legal papers, **called ORIM Claims Unit immediately.**

2440 SUPERVISOR'S REVIEW AND POLICE REPORTS

(Revised 9/96)

The supervisor of an employee involved in an accident must investigate the accident. This investigation will enable the supervisor to co-sign STD. 270. The supervisor is also responsible to ensure that STD. 270 is completed and promptly forwarded to ORIM.

The supervisor is also responsible to prepare Review Of State Driver Accident (Supervisor's) form, STD. 274, take any appropriate corrective action, and forward STD. 274 to both ORIM and the agency's Safety Coordinator.

If a California Highway Patrol (CHP) or other police authority accident report is needed to allow the supervisor to do the above, he or she may obtain these reports as an "interested party" and at no cost.

2455 REPORTING AND INVESTIGATING ACCIDENTS/INCIDENTS INVOLVING STATE EMPLOYEES OR STATE PROPERTY

(Revised 4/01)

Reporting

In the event of an accident/incident involving state employees or state property the following procedures should be followed:

1. If the accident/incident involves motor vehicles contact the local CHP office.
2. All other types of accidents/incidents:

Report the incident to your supervisor. Departments will have written procedures to follow. Complete Accident Report (Other Than Motor Vehicle) form, STD. 268*.

*If the accident/incident involves serious injury of death, extensive personal or state property damage or a significant potential for state/public liability, the Attorney General's Office will be notified within 24 hours by faxing the report to (916) 324-5567 Attn: Tort Unit. The receptionist may be contacted at (916) 324-5378.

If a completed report is not immediately available, provide the following information:

1. Identify the department/agency, unit and employees involved;
2. Date, time, place, injuries and circumstances;
3. Names, addresses and phone numbers of all injured people;
4. Name and telephone number of a departmental contact person.

Upon completion, the original report and all relevant documents will be immediately forwarded to:

Attorney General's Office

P.O. Box 944255

Sacramento, CA 94244-2550

Attn: Tort Unit

The Tort Unit may be reached at (916) 324-5397 or (916) 324-5398.

Department/agencies will have written procedures for maintaining copies of the report for their purposes/records. Employees are instructed to not discuss or speak to any individual concerning the accident/incident other than (or with approval of) a representative of the their legal office or the Office of the Attorney General.

Investigation—Complete STD. 268

Obtain all witness information.

Obtain accurate measurements or relevant dimensions.

When possible and appropriate, photographs, video recordings, diagrams will be taken immediately.

Provide the names, titles and telephone numbers of the individual preparing the report and their immediate supervisor.

Opinions and conclusions, if provided, are to be prepared on a separate attached page.

Upon completion, the original report and all relevant documents will be immediately forwarded to:

Attorney General's Office
P.O. Box 944255
Sacramento, CA 94244-2550
Attn: Tort Unit

Requests for Copies of Accident/Incident Reports

All departments will have written procedures to respond to requests for copies of reports. Reports will only be released through appropriately designated personnel, the department's legal office or the Attorney General's Office.

2460.1 ACCIDENTS NOT TO BE REPORTED ON ACCIDENT REPORT, STD. 268

(Revised 4/01)

Do not report the following on STD. 268:

1. Accidents resulting from operating motor vehicles by officers, agents, and employees of the state which are reported on Report of Vehicle Accident, STD. 270. See SAM Section 2430.
 2. Accidents and occurrences arising from the activities of the Department of Transportation. These incidents are handled according to Department of Transportation procedure.
-

2461 RECEIPT OF LEGAL PAPERS

(Revised 4/01)

All departments/agencies will have written procedures to follow in the event legal papers are delivered/served.

The employee will immediately prepare a memo to the department/agency's legal office stating (1) the date of receipt and (2) the method of receiving the papers (i.e. personal/mail/etc.).

This memo will be attached to the original papers and forwarded immediately to the legal office. The legal office will contact the Office of the Attorney General.

Employees are instructed to not (1) sign or return any legal papers concerning the accident/incident and/or (2) discuss or speak to any individual concerning the accident/incident other than their legal office or a representative of the Office of the Attorney General.

2462 COOPERATION WITH THE ATTORNEY GENERAL'S OFFICE

(Revised 4/01)

Upon request of the Office of the Attorney General departments/agencies and employees will cooperate fully during investigations, settlements, hearings and trial or in any other manner of assistance that may be required.

2464 INQUIRIES FOR FILING CLAIMS AGAINST THE STATE OF CALIFORNIA

(Revised 4/01)

Any inquiry or claim against the State of California, departments or employees will be directed to:

Victims Compensation and Government Claims Board
P.O. Box 3035, Sacramento, CA 95812-3035
(916) 323-3564 or (800) 955-0045

Additional information and services may be accessed from Board of Control's home page located at <http://www.boc.ca.gov/>.

2482 REPORTING REQUIREMENTS
(Revised 2/99)

Property or money losses due to employee infidelity or dishonesty must be reported in writing to Department of Finance, Office of State Audits and Evaluations and the Bureau of State Audits. See SAM Section 20060.

[Accident Identification Card, STD. 269](#)