

Passenger program planning checklist

We would prefer companies NOT allow non-employee passengers. However, IF a passenger program is considered an essential element in your recruiting of drivers you must have a well planned and documented passenger policy, in order to reduce your exposures.. If your company chooses to allow non-employee passengers, it will affect your insurance rates. But because companies who allow non-employee passengers should have a policy governing such activities, we offer the following for consideration in your planning process:

- The passenger authorization should be completed a minimum of 48 hours before travel commences, and be approved by the appropriate carrier official. Approval should be in writing.
- Seniority provisions should be included to reward deserving employees with longevity, avoiding new employees with less than six months experience at the job currently assigned.
- A minimum passenger age must take into consideration the legal age for which a Hold Harmless Agreement will be considered effective as well as the behavioral traits of the passenger. You should not allow passengers who require child restraint seats. The attention a driver must give the passenger should be minimized. In addition, the passenger must be capable of recognizing and responding to hazards common to the trucking occupation. A specific age can be hard to establish and should be considered on an individual basis.
- There should be only one passenger per trip since there is but one passenger seat. If seating supported by seat belts is not available there should be no passengers.
- One should limit passenger authorizations to months when adverse weather is unlikely to take place.
- The passenger must be covered by a medical insurance policy, to assure access to paid medical services should an accident or incident result in personal injury. The absence of this medical coverage forces the passenger to pursue the trucking company's insurance, or company's assets.



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- Authorize passengers ONLY for drivers with safety violations within tolerances stated in company policy.
- Passenger activities which are unacceptable need to be addressed in the policy as well as the Hold Harmless Agreement. These include, but are not limited to:
 - 1) Climbing on trailers and on areas not designed to enter and exit the tractor.
 - 2) Not using a seat belt.
 - 3) Leaving the tractor without knowledge of the driver.
 - 4) Operating or attempting to operate any equipment/vehicle.
 - 5) No fueling of equipment/vehicle.
- Pets/animal allowances should be addressed.
- Exceptions to the passenger policy would be company employees, and stranded motorists. Stranded motorists transport should be limited to the nearest location where help may be obtained. Winter conditions threatening the life of a pedestrian need to be addressed as to company's policy since this can be an area of abuse.
- A log of passenger transport should be considered and upon completion of the trip the log should be filed in the driver's file, in the event of a delayed claim of injury.
- Limit as to the number of passengers per given period and the duration of trips where a passenger is permitted (long hauls where there is more than three days out).
- Part 392.60 of the FMCSR's should be reviewed and followed with any passenger program.
- Have in place a Hold Harmless Agreement and make sure that every non-employee passenger signs the Hold Harmless Agreement prior to riding along as a passenger. The Hold Harmless Agreement should be developed using an attorney in the contracting state to ensure that the agreement is valid and enforceable.