

MS 524 VEHICLE ACCIDENTS

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Attachments

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ATTACHMENTS

Attachment A Accident Report Information

1.0 PURPOSE

This Manual Section prescribes procedures to be followed by overseas Peace Corps staff, contractors, Volunteers, and Trainees in the prevention and reporting of, and compensation for, vehicle accidents.

2.0 PREVENTING ACCIDENTS

Overseas staff should minimize the possibility of vehicle accidents and the complications they produce by assuring that those who operate Peace Corps vehicles are qualified drivers cognizant of local laws and regulations governing accidents.

Staff members should affix to each Peace Corps vehicle a card instructing occupants what to do in case of an accident. The card should follow the form below:

In Case of Accident:

1. Call (names and telephone numbers of Peace Corps staff) to report the accident.
2. Do not leave the scene of the accident except to call for medical assistance or the police. However, if remaining at the scene of the accident would result in personal danger, proceed immediately to the nearest police station.
3. Render medical assistance if you are competent to do so. First aid manual is (specify where in vehicle).
4. Write down names and addresses of all persons involved in the accident; license plate and operator's license numbers for vehicles and drivers involved, names and addresses of insurance companies.
5. Write down names and addresses of witnesses. Ask witnesses to write statements about what they saw.
6. Make no statements concerning fault in the accident.

2.1 Authorization

Make certain that all documents of ownership and registration are kept in Peace Corps vehicles, that only authorized persons drive these vehicles, and that all drivers carry a valid driver's license.

While written authorization for the use of vehicles may not always be feasible, it is wise, when at all possible, for a post to require a Peace Corps employee to sign a form documenting the purpose and expected duration of a trip, and the proposed itinerary before using a vehicle. Details of circumstances for which vehicle use may be authorized are outlined in Manual Section 522 Vehicles.

Peace Corps employees should understand that unauthorized use of vehicles may result in personal liability for damages arising from an accident and possible separation from Peace Corps service.

2.2 Local Vehicle Laws

Become familiar with local laws concerning vehicle accidents - e.g., what information may be required by law enforcement officials, whether or not criminal charges will automatically be brought against operators involved in an accident, and so forth.

2.3 Peace Corps Insurance

Become familiar with special requirements of Peace Corps insurance policies and make sure they are followed.

2.4 Safety Procedures

Follow the safety procedures set forth in Manual Section 522 (MS 522).

2.5 Embassy Assistance

Come to an understanding with the American Embassy or Consulate about assistance they may give in case of a vehicle accident.

2.6 Notification of Embassy

Promptly advise the Post Safety Officer of vehicle accidents involving Peace Corps employees.

3.0 PROCEDURES IN EVENT OF A VEHICLE ACCIDENT

3.1 Initial Steps

A Peace Corps staff member involved in an accident should do the following:

- (a) Immediately notify local police and cooperate with them fully to furnish information concerning the accident.
 - Do not, however, make any statement concerning fault in the accident.
 - Do not make any statement about the accident to other persons who might eventually be involved in litigation arising from the accident.
- (b) Take reasonable steps to insure that persons injured in an accident get prompt and adequate medical attention.
- (c) Immediately notify the Office of Special Services (VS/SS) whenever a Volunteer or Trainee is injured. Include among the information cabled to VS/SS the individual's directions regarding contact of relatives.
- (d) Follow administrative procedures in Manual Section 265 when a Peace Corps employee dies or suffers injury which makes death imminent.
- (e) Immediately cable a brief summary of facts when there is an accident which involves:
 - i. Other death or serious injury;
 - ii. The likelihood of extensive publicity; and
 - iii. Possible claims against the U.S. Government, Peace Corps, or a Peace Corps employee in excess of \$1,000.

3.2 Accident Report

An accident report is required for all vehicle accidents involving Peace Corps employees or property. Guidelines for preparation of the report are included as Attachment A to this Manual Section. (See Attachment A, Accident Report Information.) If the report cannot be completed within two weeks of the accident, submit a partial report, indicating when completion of the report is expected.

3.3 Notification of Insurer

The Country Director or designee should see that the insurer of a Peace Corps vehicle which has been involved in an accident is immediately informed of the accident in writing, in accordance with terms of the

insurance policy. (See Manual Section 526 Motor Vehicle Insurance, for Peace Corps policy on motor vehicle insurance.)

4.0 MEDICAL CARE AND COMPENSATION

4.1 Volunteer Injury

Peace Corps will provide health care for a Volunteer or Trainee injured in a vehicle accident as long as the individual remains on Peace Corps rolls.

4.1.1 Minor Injury

If the injury is minor and the Volunteer or Trainee expects to be medically fit for service within a reasonable time (usually 30 days), the individual will be retained in Volunteer or Trainee status during the period of care. (See Manual Section 284 Early Termination.)

4.1.2 Medical Separation

When it becomes apparent that, because of the severity of injuries, a Volunteer or Trainee will not be able to return to duty within a reasonable time, that individual must be separated from the Peace Corps.

4.1.3 Disability

If the injury results in a permanent or temporary disability, a Volunteer or Trainee may be eligible for compensation under the Federal Employee's Compensation Act (FECA), whether or not the individual returns to Peace Corps duty after the injury.

4.1.4 Disability Compensation

An injured Volunteer's or Trainee's eligibility for medical care or disability compensation from the Government depends on whether the injury was service-related, within the FECA definition of that term.

4.1.4.1 Injury Outside the U.S.

If a Volunteer or Trainee is injured outside the U.S., the injury is presumed to have been service-related, and the individual is thus entitled to post-service medical care and disability compensation, except where the injury was a result of willful misconduct, intent to injure or kill oneself or another, or intoxication.

4.1.4.2 Injury Within the U.S.

A Volunteer or Trainee injured within the U.S. will be eligible for post-service medical care and disability compensation under the FECA only if the injury was sustained while the individual was actually engaged in official Peace Corps activities. Again, the willful misconduct, intent to injure, and intoxication exclusions discussed above are applicable.

4.2 Staff Injury

A staff member in the U.S. or overseas injured during Peace Corps employment is eligible for medical care and disability compensation under the FECA only if the injury:

1. was sustained while actually engaged in official Peace Corps activities; and
2. was not a result of willful misconduct, intent to injure or kill oneself or another, or intoxication.

4.3 Personal Services Contractors Injuries

Peace Corps personal service contractors or their employees are eligible only for the health care and disability compensation specifically provided for in their contracts or through private health or accident insurance.

4.4 Claims

In most cases, claims arising from vehicle accidents involving Peace Corps employees will be settled without the necessity of judicial proceedings. Guidance and limitations on paying claims are set forth in Manual Section 776 Claims Against the U.S. Government under the Federal Torts Claims Act.

Details on what disability compensation is available and the requirements for making a claim are set forth in the Foreign Affairs Manual, 3 FAM 689.

5.0 DELEGATION OF AUTHORITY

The specific duties and responsibilities assigned to named officers in this section may be performed by persons designated to fill those offices in an “Acting” capacity.

6.0 EFFECTIVE DATE

This Manual Section takes effect on the date of issuance.