This white paper was co-authored by the experts at Driverge Vehicle Innovations, National Interstate Insurance, and Vanliner Insurance. Through our collaboration, we hope you learn some best practices to enhance your operation's safety culture.

Overview

It is highly likely that outside of your work or business you know someone who uses a wheelchair or mobility device, perhaps even within your own family. In fact, many who start NEMT companies do so because of personal experiences with family members and friends.

Just as you would ensure the utmost safety and compassion when transporting those closest to you, you should extend the same level of care to every passenger. Remember, the person you are transporting is someone's mother, father, child, or best friend and deserves to be treated with the same respect and concern you would offer to your own loved ones.

Yet…Injuries most frequently occur due to motor vehicle accidents or improper securement, or while boarding or unloading passengers. Fortunately, leaders and professional operators can significantly reduce the likelihood of such incidents. By creating policies and procedures which ensure your drivers adhere to safe driving practices, ensuring that passengers are properly secured, and being thoughtful during the loading and unloading process you can help minimize the chance of incidents.

This white paper will cover essential information, including the most common types of losses, the importance of implementing a securement policy, handling best practices, and other key considerations for drivers, like when encountering passengers who refuse securement.

Common Loss Types

Based on a study involving hundreds of incidents related to wheelchair losses resulting from motor vehicle accidents, improper securement, or injuries during the boarding or unloading process, it was identified that the average value of these losses exceeded $110,000. Losses involving wheelchair exposure continue to become more expensive. The best thing an employer can do is be proactive by ensuring a strong safety management program is in place to reduce the likelihood of such losses.

Many passenger injuries occur when vehicles are parked, primarily during the process of boarding or unloading using a lift or ramp. While the monetary value of these losses is significant, the impact on both the passenger and driver is far more important. Incidents, such as a passenger tipping over or sliding out of their wheelchair, can create lasting trauma and fear of future transportation for both the passenger and driver. These incidents can also erode trust in caregivers and professionals.

In more severe cases, such incidents can result in serious injury or even death. Beyond the personal impact, these events can lead to lawsuits, loss of customers, negative public relations, and other consequences that can cause significant financial harm to a company, its principals, and potentially even leading to it going out of business.

Seat Belt & Shoulder Harness Policy

Policies are essential for helping ensure employees understand company expectations. It is crucial to develop policies that address the specific risks your operation faces, so employees have a clear understanding of acceptable and unacceptable behavior of both drivers and passengers. Training all new hires on these policies, regardless of their experience, is vital, along with hands-on onboarding and securement training. Skills can diminish over time, so refresher training on these topics is a valuable component of a safety management program.

Sample Policy

Purpose:

- *To ensure the safety of all passengers by requiring the use of seat belts and shoulder harnesses in all transit vehicles.*

Policy Statement:

- *All passengers, including the driver, are required to properly wear installed seat belts and shoulder harnesses when the vehicle is in motion. This policy applies to all seating locations within the vehicle, including those designated for wheelchair users.*

Procedures:

- *Passenger Compliance:*
  - *All passengers must fasten their seat belts and shoulder harnesses before the vehicle begins to move.*
  - *Passengers using wheelchairs must also use the provided seat belts and shoulder harnesses, whether or not similar belts and harnesses are already attached to their wheelchair.*
- *Driver Responsibilities:*
  - *Ensure all passengers are properly secured before starting the trip.*
  - *Provide assistance to passengers who may need help fastening their seat belts and shoulder harnesses.*
  - *Remind passengers of the seat belt policy if they remove their seat belts during transit. If a passenger removes their securement device, it is recommended you cautiously pull over when it is safe to do so, stop the vehicle, communicate the securement requirement, inform the passenger of your ability to refuse transport until they are*

rescured, and help passengers get properly secured again, if needed.

- *Exceptions:*
  - *Exceptions to this policy are only permitted if passengers are exempted under specific circumstances, such as medical conditions that prevent the use of seat belts. These exceptions must be documented and approved by the transit agency.*
- *Enforcement:*
  - *Failure to comply with this policy by passengers may result in the passenger being denied service until they comply.*
  - *Failure to comply with this policy by drivers may result in the termination of the driver.*
  - *Drivers must document any incidents of non-compliance and report them to the transit agency.*

Understanding Your Company's Rights & Responsibilities

Having a policy is important, but it is equally if not more important to understand your rights and responsibilities as an NEMT company.

- If your company has a policy that requires all passengers to use seat belts and secure mobility devices, and your vehicle has compliant securement systems in accordance with the ADA, securement of the mobility device (such as a wheelchair or scooter) and the passenger can be required. The requirements must be consistent for all passengers. For instance, if non-ADA passengers are only required to wear a lap belt, then ADA passengers are only required to wear a lap belt. However, for the passenger's safety, we encourage the wearing of both the lap and shoulder belt in every case. If a passenger refuses to comply with the securement requirement, you are permitted to decline service.
- Service cannot be refused due to a mobility device being challenging to secure. The ADA requires operators to use their best efforts to secure the device, consulting with the owner of the mobility device as needed. It is also recommended to contact your employer for additional guidance.

Wheelchair & Passenger Handling Best Practices

Understand that it is the responsibility of the management and leadership of an NEMT company to ensure drivers are properly trained and can demonstrate proper handling, onboarding and securement of passengers using mobility devices. Using professional and certified trainers, whether inside or outside your company, will minimize the risk and liability of your organization.

About Driverge Vehicle Innovations

Driverge Vehicle Innovations is one of the country's leading builders of commercial accessible vans, shuttles, transporters, vocational and work vehicles. With their commitment to safety, the Driverge Training Team also boasts certified professional trainers who have trained 1000's of drivers across the US and Canada. With manufacturing facilities in Ohio, Kansas, South Carolina and California, Driverge provides vehicle conversions to numerous industries and government agencies, including healthcare, wheelchair transport services, fleet management, hospitality, rideshare and other vocational markets. Driverge is a Ford Pro Upfitter, Mercedes-Benz eXpertSOLUTIONS Upfitter and Ram Commercial Q-Pro supplier. Driverge acquired commercial equipment upfit company U.S. Upfitters in 2022, which operates facilities in Illinois, Wisconsin, Maryland and Colorado. Driverge Vehicle Innovations and MobilityWorks together make up WMK, LLC, established in 1997 and recognized on the Inc. 500|5000 list of Inc. Magazine's fastest-growing privately held companies, as well as Newsweek's list of America's Greatest Workplaces.

Sources

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