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AIRE Alert

Driver Fatigue

A Look at The Loss

A tractor-trailer traveling at high speed rear-ended a SUV stopped in highway traffic, forcing it into the vehicle ahead and resulting in fatal injuries to the driver of the SUV. Weather, drugs, and alcohol were not contributing factors. However, the truck's driver had a history of previously preventable violations and significant periods of probation during his tenure – yet still served as a company trainer. At the time of the accident, the driver was on a 10-day cross-country assignment with a trainee. The pair complied with rest requirements by switching off driving duties while continuing to travel. The decedent's estate filed suit against the driver and the trucking company for negligence. During deposition, the driver admitted fatigue was a factor in the crash.

The Takeaway

Regulatory compliance alone is not enough to prevent catastrophic fleet accidents. Driver history, real time safety data, fatigue science, and disciplined operational governance should all inform a company's operational and risk management decisions. Sound safety controls are also critical, not only to prevent incidents but to strengthen defensibility of claims that do occur.

Prevention in Practice: Key Risk Control Strategies

Proactive risk control strategies may enhance fleet safety and help companies prevent catastrophic accidents and avoid losses. These include:

Strengthening fatigue management and rest practices.
A formal fatigue management program should go beyond hours-of-service compliance and address sleep quality, circadian disruption, and extended team driving risks. Meaningful off-duty rest requirements should include stopping the vehicle and exiting the cab, rather than rotating drivers while the truck remains in motion, and reinforce zero tolerance for fatigued driving.

Reevaluating team driving and long-haul trip design.
Additional guardrails should be established for cross country and extended-duration trips, including limits on consecutive days on the road, mandatory recovery rest periods, and risk-based trip planning. Team driving should be treated as higher risk and requires enhanced oversight, rather than just a 'standard' fatigue mitigation strategy.

Tightening driver selection, monitoring, and trainer qualification.
Drivers with repeated preventable violations or extended probationary histories should be disqualified from serving as trainers. The trainer designation should require a clean recent driving record, demonstrated safety leadership, and periodic recertification. Driver risk profiles should be actively monitored and escalated when telematics or prior incidents indicate deteriorating performance.

Improving use and oversight of Advanced Driver Assistance Systems (ADAS).
Clear policies should govern the use of cruise control, accelerator override, and automatic emergency braking use, particularly in traffic congestion and low visibility scenarios. Safety system alerts should trigger immediate supervisory review and corrective action, rather than retrospective analysis after a loss.

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Enhancing telematics and video monitoring for early intervention.
A comprehensive telematics policy should specify driver expectations, permitted vehicle usage, and standardized disciplinary procedures, all supported by signed employee consent. Additionally, it must clearly define the purpose of the policy, detail the data collected, and explain how this information will be utilized. Forward facing cameras should be paired with inward facing video or equivalent monitoring to better assess fatigue, distraction, and compliance behaviors. When drivers exceed pre-established thresholds (e.g., excessive lane departures in short driving windows), they should be immediately removed from service and evaluated.

Reinforcing accountability through policy enforcement.
Probationary status, safety violations, and high risk driving behaviors must have meaningful consequences, including removal from training roles, suspension, or termination. Consistent enforcement strengthens defensibility against negligent entrustment and supervision allegations.

What AIRE Can Do For You

AIRE offers a variety of resources to help middle market companies enhance fleet safety programs and prevent losses that are being driven up by driver fatigue, driver history, and training failures. Our resources help policyholders:

- Evaluate fleet safety programs in a structured manner.
- Identify leading indicators to support earlier intervention and governance decisions.
- Reinforce accountability and consistency across operations.
- Translate loss experience into preventive controls.

Our approach is designed to help companies not only respond to and mitigate losses, but to recognize risk earlier, strengthen controls, and make better-informed operational decisions before loss events occur.

Additional Resources

Federal Motor Carrier Safety Administration (FMCSA)
FMCSA offers extensive guidance focused on fatigue, hours of service, and driver safety.

- Fatigue Management Plans 101
- Commercial Motor Vehicle Driver Fatigue guidance

NAFMP is a joint government industry initiative supported by **FMCSA** and Transport Canada.

NIOSH / CDC – Center for Motor Vehicle Safety
NIOSH provides evidence based research and employer guidance on occupational driving risks.

- Fatigue Risk Management System (FRMS) guidance

National Transportation Safety Board (NTSB)
The NTSB publishes safety alerts and recommendations derived from fatal crash investigations.

- Fatigue related safety recommendations

American Transportation Research Institute (ATRI)
ATRI conducts data driven research on trucking safety and operational risk.

Arch Insurance Risk Engineers (AIRE) Alert

The AIRE team continuously monitors loss trends and events impacting our middle market clients. AIRE Alerts highlight issues driving real-world claims and provide practical, actionable insights to help clients strengthen risk controls and prevent claims.

For more information, visit www.archinsurance.com/aire or contact us at aire@archinsurance.com.

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