

# USING GPS/AVL FOR GOVERNMENT PROTECTION AGAINST LIABILITY

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**Public Sector Fleet Managers** are not immune to liability concerns. In fact, ignoring them can be a potentially costly mistake. While vehicle collisions are one of the most costly risks to liability when it comes to fleet management, they are not the only liability a government fleet faces.

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## THIS GUIDE WILL:

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- Examine four types of liabilities that public fleets need to be aware of and manage:
  1. Post-event claim liability
  2. Customer service liability
  3. Environmental liability
  4. Political liability
- Take a look at how liabilities can be mitigated
- Explain how claims can be easier to deal with

Liabilities are a real and potentially debilitating threat to public sector fleets, but organizations that are prepared with accurate, dependable and easily accessible records can avoid the high price tag of a lawsuit. Serving as a warning are a number of fleet-related verdicts decided in favor of the plaintiff:



**Case #1:** The Los Angeles County Metropolitan Transportation Authority was deemed negligent when a bus driver was determined to have been poorly trained, resulting in almost \$14 million in damages.



**Case #2:** In another case, the City of Los Angeles was fined \$7 million for negligence in a police officer vehicle chase. Cities in other states are suffering similar consequences.



**Case #3:** A jury awarded \$3 million in a case against the City of St. Louis after the plaintiff crashed into parked cars due to a City driver negligently making a right turn on a red light.

It is difficult to contest claims with outdated and limited methods which can produce data that is not necessarily applicable to the incident and hinder the claim process in general. Simply attempting to track down the information to investigate a claim can be a time-consuming process. It can take weeks to investigate a single claim, from determining who was on shift to contacting the driver and their supervisor and possibly going through an interview process to get the necessary information to complete an investigation.

## PROTECTION AGAINST LIABILITY

### EXONERATING A CLAIM

Public fleets are finding that a wireless vehicle locator system (GPS/AVL) can save thousands and even millions by discrediting a lawsuit with documentation of appropriate responses to situations. When there has been no negligence, fleet managers have a much better chance of proving it when equipped with an effective method of tracking location, activity, driving behavior, progress and other pertinent details. With the information automated, an often complicated process is avoided by simply performing a query for the relevant data to bring immediate closure to the claim.

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For instance, in 2015 a Toronto resident complained to the authorities that a salt truck was exceeding the speed limit and discharging a high volume of salt. GPS records were produced to document that the salt truck was at the location and route, but that at no point did it exceed 27 miles per hour and that the salt application rate was set on the lowest of three approved rates. Readily accessible GPS records resulted in an efficient investigation process and the ability to quickly respond to the resident's complaint.

### LIABILITY IS ABOUT MORE THAN COLLISIONS

There are four primary liability categories that a government fleet needs to be aware of:

- Post-event claim liability
- Customer service liability
- Environmental liability
- Political liability

#### Post Event Claim Liability

Post-event, let's say a driver is going down the highway and hits a piece of debris, then calls the toll authority to say, "I'm paying to use your highway, and I feel you need to pay for the damage to my vehicle because I hit a piece of debris."

With a GPS/AVL system, it can be quickly shown that the highway is being patrolled in such a way that the required standards are being met, thereby absolving responsibility for the incident. An automated system will document when, where and what was happening, and shut claims down quickly — sometimes even immediately. This is a liability which every agency and government fleet experiences.

## Customer Service Liability

Agencies exposed to this type of liability have to prove to businesses/residents that they performed their due diligence. GPS data enables quick and thorough answers to customer questions and concerns, such as the salt example mentioned earlier. It also equips government agencies to provide the public with status updates during events such as storms and to determine areas for improvement in real-time.

Reports enable pro-active communication with customers to meet their needs, for instance informing them about current hazards and what is being done to correct them.

## Environmental Liability

Often, government fleets are working in ways that impact the environment, and it's important to be able to prove compliance with standards in environmentally sensitive areas like those bordering a state or national park or a well-water entry.



### Environmental Example #1:

#### Weather Challenges

Winter operations are a significant aspect of this category. Agencies that incorporate toxic materials in their operations such as salt are able to report to governing agencies such as the EPA that material usage within environmentally sensitive areas was dispensed within regulated standards.



### Environmental Example #2:

#### Waste Management

Waste Management is another area where GPS/AVL can help increase customer service,

ensuring compliance with internal and external waste service level agreements and identifying issues in waste fleet operations to increase efficiencies and even save on fuel.



### Environmental Example #3:

#### Increase Transparency in Public Works

Using the right system for Public Works can improve billing accuracy and use of tax dollars, ensure compliance with internal and external service level agreements, and boost customer service with real-time service level reporting.

## Political Liability

This is similar to customer service liability, but on a higher level. It is not unusual for incidents to make their way up the chain and result in the public getting involved. Political liability may not be as frequent an issue, but it can be one with more significant consequences; it can even affect a mayor's chances of being re-elected.

*When there has been no negligence, government fleet managers have a much better chance of proving it when equipped with an effective method of tracking location, activity, driving behavior, progress and other pertinent details.*

In this case, GPS/AVL enables fleet managers to deliver their services to the public more efficiently; it gives them more information to draw from when communicating issues, solutions and progress. Fleets can be proactive and ensure they are the primary source for delivering information to the public before it becomes viral through other avenues.

One practical example of how to use the data from GPS/AVL would be to have a website that shows residents which streets have been plowed in the winter. Such a site shows customers what the agency's fleet is doing, which establishes a better relationship between the agency and the general public.

## WHAT TO LOOK FOR IN A GPS/AVL SOLUTION

There are some basic GPS/AVL components that fleet managers should look for when choosing the right system for their agency:

- A foundational element is the ability to accurately track the location of equipment.
- Another essential would be management controls such as reporting: stops report, material application queries, speed, historical location, geo-fencing, snow plow up/down.
- Enhanced reporting would include level of service reporting, year-round access to claims data, and archiving of historical data.
- Interface technology can provide information for a public website, an internal website and even mobile apps.
- Reporting frequency can vary, but the most effective will provide as fast as 10-second reporting, as opposed to 2-to-5 minute intervals.

## PROPER IMPLEMENTATION

The goal when implementing a new GPS/AVL system is to achieve buy-in from decision makers, employees and the public. Staff need to understand what the agency is trying to achieve and how they each play a role in the short and long-term goals involved in that strategic plan. Educate everyone on how to use it, and communicate the importance of the technology and how it helps employees.

Emphasize the protection against the four types of liabilities discussed, and make sure they understand its purpose is not as a form of discipline.

*Don't roll out a GPS/AVL system all at once. Start small and see what works and what is needed.*

Awareness is the first step in preventing costly results of post-event claim liability, customer service liability, environmental liability and political liability. The next step is choosing a system that will document all pertinent data to defend against claims—and complaints.

## ABOUT WEBTECH WIRELESS

Webtech Wireless has an interest in improving how our customers do business. Our powerful solutions are a means to help you address the challenges you might face when running a fleet. We help you achieve your strategic goals and allow you to reach new heights in operational performance, enhanced customer service and ultimately, achieve more with less. It's that simple.

Webtech Wireless provides business intelligence that can transform your fleet operations, automate record keeping and regulatory compliance, reduce fuel consumption and mitigate risk. Our solutions translate raw GPS information into an easy-to-understand format, equipping you with the information you need to make quick and accurate decisions for your fleet operations. Easily identify roadblocks, opportunities for efficiency and gain visibility into your entire fleet activity on one single platform.

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