

OK, YOU'VE HAD A MOTOR VEHICLE ACCIDENT, SO NOW WHAT HAPPENS?

Well, that depends on **who** you are and **when** we're talking about. Hopefully, the following will help explain "Who's On First."

You are the state driver and it is immediately following the accident.

- If you are injured, notify your supervisor and seek medical care either through the campus' workers compensation clinic, your pre-designated physician or for severe injuries, the emergency room.
- At the accident scene, **do not admit fault or make any promises** that the state will pay for any damages. Using the Std 269 card that should be in your glove compartment, write down as much information as you can. Tear off the perforated part and give it to the other driver so he/she will know who you are and how to contact us.
- **In every case**, report the accident to the office of Risk Management/EHOS (310) 243-2895 immediately. Complete the [Std 270](#) as soon as possible. Have your supervisor review the completed Std 270, **sign it and forward to RM/EHOS immediately.**
- **RM/EHOS will forward the completed form to the Office of Risk and Insurance Management (ORIM)**

If you are contacted by the other driver, their insurance company or their attorney, do not give the caller written or recorded statements and refer them to the ORIM.

You are the state driver's immediate supervisor

- Review and co-sign the Vehicle Accident Report (Std 270) to attest to the fact that the employee was on official state business.
- Notify RM/EHOS of the accident at x2895
- Investigate the accident to determine if it was preventable.
- Complete the Supervisor's Review of Motor Vehicle Accident (Std 274).
- Forward Std 274 to the ORIM at the following address:

ORIM, Claims Unit
707 Third Street, 1st Floor
Sacramento, CA 95605

Whoever you are, if contacted by the claimant, it's OK to tell them the following:

- The ORIM handles and makes **all** the decisions on accident claims. ("All I do is report them to Sacramento".) **Make no promises nor commitments to the claimants that their claim will be paid!**
- **Refer claimants directly to the ORIM (916-376-5302) to expedite the handling of their claim.**
- **If claimant wishes to protect themselves from the six-month claim-filing statute of limitations (see Government Code Sec. 910 et seq.), they may also file a formal claim against the State by contacting the State Board of Control (800-955-0045 or 916-323-3564) to obtain a fill-in-the-blank Tort Claim form. **This form must be completed and returned to the Board of Control within six months of the accident.****
- In order to substantiate and document their property damage claim, **the claimant must provide the ORIM with a written estimate(s) as follows:**

One estimate if the repairs are less than about \$500

Two estimates if the repairs are more than about \$500

- If the claimant says that the "Motorists' Bill of Rights" says they are only required to submit one estimate, tell them that is true, but only when one is dealing with his/her own insurance company.
- If the claim involves glass only (usually windshield), the claimant should be referred to the ORIM as we have a working arrangement with a statewide auto glass company to provide expedited service at a discount rate.
- If the claimant's car is not drivable, obviously they cannot obtain competitive repair estimates. The ORIM will handle this situation.
- The claimant **may elect** to have their own insurance company repair the damage if they have collision coverage. Their insurance company can then press their claim against the State and reimburse them. This is an **option** which is generally faster than making a claim against the State directly.
- **If** the claim is **only** for property damage, the claimant's vehicle is driveable, and they are willing to allow you to delay forwarding the Std 270 to the ORIM by a couple days (only) to allow them time to obtain and give you one or two repair estimates, you can then wait to send in the Std 270 until you can attach the repair estimates to it. This approach, to be used **only with a cooperative claimant**, enables our office to obtain the entire package together at one time.

You are the state driver, and you have been served with a Small Claims Court summons and complaint.

- **You will have to appear as ordered!** The ORIM, the Attorney General's Office and Caltrans' Legal Division **cannot** appear either with or on your behalf in Small Claims Court.
- You should contact RM/EHOS to advise us and we will provide you with copies of documents from our file as well as advice on how to proceed to defend yourself and your employer. We recommend that you take your supervisor or a member from RM/EHOS along with you to the trial.
- When you receive the verdict or judgment (usually by mail), call the RM/EHOS to advise us of the results.

You are the state driver, and you have been served with a Municipal or Superior Court summons and complaint.

- **Call RM/EHOS immediately (!!!)** As long as your accident arose through the course of state business, the CSU will provide legal representation for you.

If the above does not answer your particular question or address your situation, please call the ORIM at (916) 376-5302.