

## Internal Operating Policy 03-05

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Approved by Standards Council: 9/16/2005

Effective: 9/16/2005

Revised: 3/09/2007

Authority: O.C.G.A. § 17-12-5(c) (2)<sup>1</sup>

Subject: Reporting automobile accident

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The following is the Standards Council procedure for reporting an automobile accident:

### **What if I get in an accident with a state of Georgia owned vehicle?**

If you sustain property damage or bodily injury in an accident that involves a state vehicle, the incident should be reported by telephone to Risk Management Services Division at 1-877-656-RISK (7475) within 24 hours of the accident. A file will be set up. The accident must also be reported to the Director of Operations at the central office of the Standards Council within 24 hours of the accident. Failure to report may result in disciplinary action. The police report should be submitted to the central office within 72 hours from the incident.

### **What if I get into an accident with my personal auto while on official state of Georgia business?**

The state of Georgia does not provide coverage for personal property. If your auto is damaged you should report it to your insurance carrier. However, the state does provide liability coverage if you are acting within the course and scope of your official duties. When using a personal vehicle on state business, the driver should have a yellow insurance card to provide to the police in case of an accident. All accidents resulting in damage to property of others or injuries to other people should be reported to the Director of Operations at the central office immediately. Failure to report may result in disciplinary action. The police report should be submitted to the central office within one week of the incident.

### **What should I do to report an accident that does not involve a state owned automobile but was caused by the state of Georgia or occurred on state property resulting in damage or injury to someone else?**

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<sup>1</sup> O.C.G.A. § 17-12-5 (c) (2) provides as follows: “(c) The director shall... (2) Develop such rules, policies, procedures, regulations, and standards as may be necessary to carry out the provisions of this chapter and comply with all applicable laws, standards, and regulations, and submit these to the council for approval”.

You should first attempt to contact and file the claim through the central office. If this cannot be done, you can contact Risk Management Services at 404-656-6245.

**How can I file a liability claim against the state of Georgia?**

You should first attempt to contact and file the claim through the central office. If this cannot be done, you can contact Risk Management Services Division at 404-656-6245 to report the incident. The exposures, procedures, and formalities regarding claims against the state of Georgia are governed by the Georgia Tort Claims Act.

**Liability Insurance Program**

Risk Management Services Division administers a self-insured Tort Liability Insurance program that protects state government and its employees from claims brought against them while performing official duties.

**Automobile Liability**

For those agencies subscribing to coverage through the Georgia self-insured program, the state provides third party liability coverage for accidents involving state/agency owned vehicles and, in limited instances, for personal vehicles being used in the performance of official state duties. Accidents involving employee activities not described within the course and scope of their job are not covered, however. Automobiles are defined as those vehicles licensed to be used on roads and highways. Vehicles designed for off-road use, such as golf carts or tractors, etc., would fall under the General Liability program.

**General Liability**

As set forth more fully in the Georgia Tort Claims Act, O.C.G.A. 50-21-1 *et seq.*, liability coverage is provided for agencies and employees coming within the self-insured program for claims arising out of the performance of that agency's function. Most claims that do not arise out of a state owned automobile incident or workers' compensation would fall under the General Liability category of claims.