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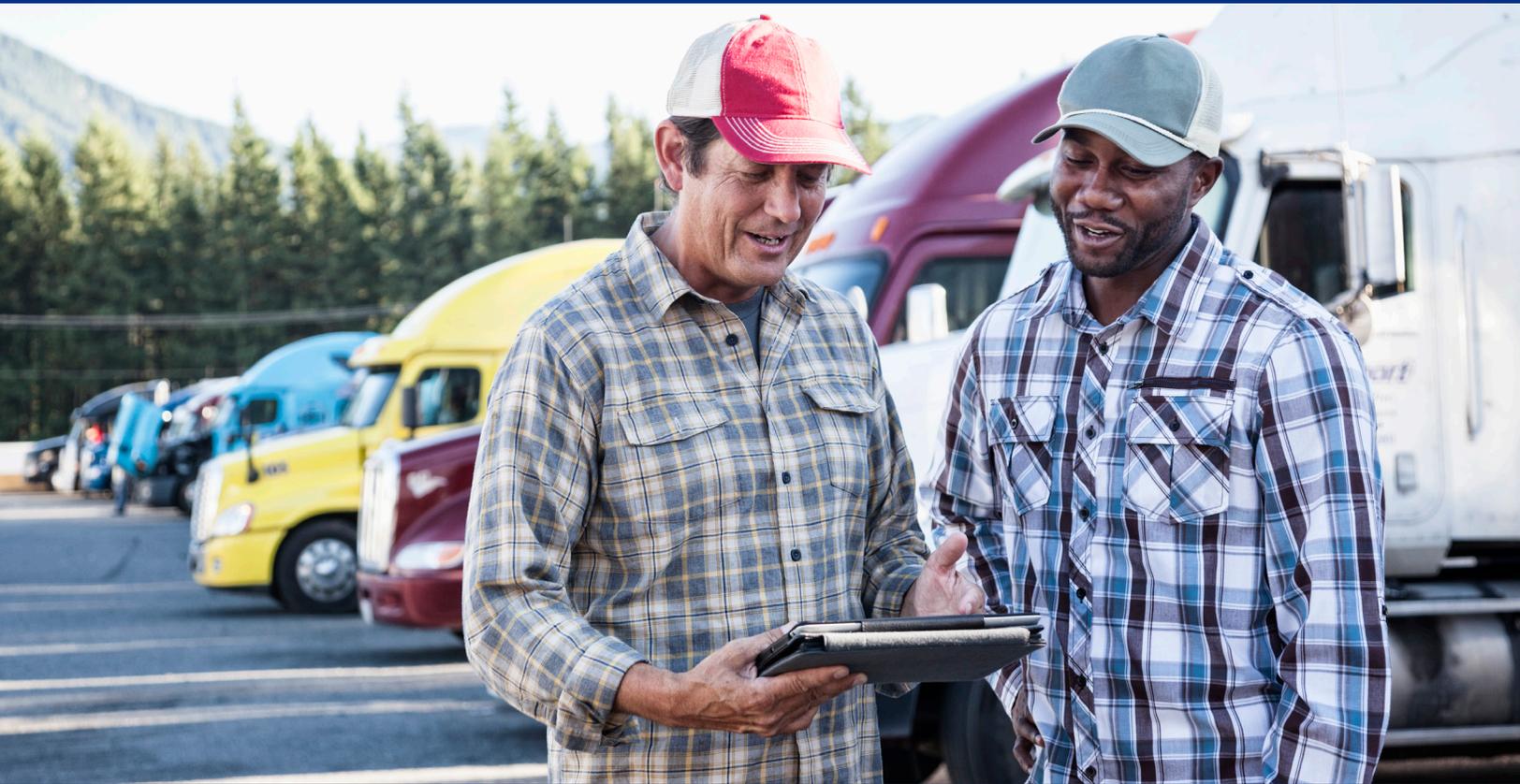
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SUMMER

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TIME TO DISCUSS ROAD TESTS

Conducting road tests for applicants and tenured drivers is a proactive step every company can take to exceed compliance standards and strengthen their safety culture. A well-structured road test can ensure that drivers have the necessary skills to operate commercial vehicles safely while reducing risks for the company. Here are essential tips for conducting effective road tests:

ESTABLISH CLEAR EVALUATION CRITERIA

Before administering a road test, you can determine the specific skills and behaviours the driver will be evaluated on. A structured assessment can help ensure consistency and fairness across all tests. Below are few important guidelines to focus on while establishing proper assessment;

- The driver's ability to prevent critical crashes.
- Compliance with fundamental safety habits, including using seat belts consistently and maintaining three points of contact when entering or exiting the vehicle.
- Proper mirror usage and blind spot awareness.
- Adherence to distraction-free driving, such as securing mobile devices and avoiding multitasking.
- Smooth braking, accelerating, and maneuvering in various traffic conditions.

SELECT A QUALIFIED EXAMINER

The individual conducting the road test should be a highly skilled and safety-conscious driver who exemplifies the company's commitment to best practices. This examiner plays a crucial role in maintaining the integrity of the evaluation process. Auditors often scrutinize road test forms for signs of hasty or incomplete documentation, commonly known as "pencil-whipping." To avoid compliance risks, you can ensure the examiner:

- Conducts a thorough, unbiased assessment.
- Completes all evaluation forms accurately and in detail.
- Provides constructive feedback to the driver for improvement.

USE THE RIGHT EQUIPMENT AND ROUTE

The road test should be as realistic as possible, reflecting the conditions the driver will face in their role. Consider the following:

- *Equipment:* The test can be conducted in the type of vehicle the driver will operate regularly (e.g., dry van, flatbed, tanker).
- *Route Design:* The test can incorporate a variety of environments, including:
 - Highway driving to assess merging, lane discipline, and speed management.
 - Use of urban and rural roadways to evaluate adaptability to different traffic conditions.
 - Navigating customer facilities or loading docks to test maneuverability in tight spaces.)

A well-planned route can ensure that drivers are tested on real-world scenarios, helping to identify potential weaknesses before they become safety risks.

DEFINE CLEAR PASS/FAIL CRITERIA

Set objective standards for what constitutes passing or failing the road test. Establishing pass/fail criteria can ensure that all drivers are held to the same standard of proficiency. Some key considerations can include:

- Does the driver demonstrate complete control of the vehicle at all times?
- Does the driver obey all traffic laws and road signs?
- Does the driver exhibit situational awareness and anticipate hazards?
- How well does the driver execute critical maneuvers, such as backing, lane changes, and emergency stops?

In cases where a driver fails the test, the examiner should be prepared to assume control of the vehicle and return it safely to the starting point.

STANDARDIZE ROAD TESTING AS AN ONGOING PROCESS

Consider expanding road tests to all drivers, not just applicants. Implementing a structured road-testing program for tenured drivers can help reinforce safe driving behaviors and identify potential skill gaps before they lead to an accident. Types of expanded road tests may be beneficial for:

- Post-crash or incident re-qualification to verify continued competency.
- After extended absences from driving duties.
- As part of annual performance evaluations to ensure skills remain sharp.

Additionally for DOT carriers, fleets can integrate road tests with pre-employment drug and alcohol testing procedures. For example, wait until the applicant's pre-employment drug and alcohol test results are received before administering a road test. If the applicant is involved in a crash during the road test and later the test comes back positive for prohibited substances, the company might be held liable for negligence.

By implementing a structured and standardized road-testing program, motor carriers can meet and exceed compliance requirements, reduce liability, and foster a strong safety culture. Road Test Evaluation form should be tailored to fit your needs.





REACH OUT TO THE SAFETY SERVICES REPRESENTATIVE

WHAT TYPES OF DRUG & ALCOHOL TESTING ARE REQUIRED BY FMCSA?

The Federal Motor Carrier Safety Administration (FMCSA) enforces strict drug and alcohol testing requirements to ensure the safety of commercial motor vehicle (CMV) drivers and the public. These regulations, outlined in 49 CFR Part 382, apply to commercial motor vehicle (CMV) drivers and motor carriers. Below is a brief overview of the primary types of FMCSA-mandated drug and alcohol testing.

PRE-EMPLOYMENT TESTING

Employers are required to obtain a negative drug test result before allowing the driver to perform safety-sensitive functions. Pre-employment alcohol testing is optional. (§382.301)

REASONABLE SUSPICION TESTING

Reasonable suspicion controlled substances or alcohol testing must be based on specific, contemporaneous, and articulable observations of the driver. These can include observations concerning the appearance, behaviors, speech or body odours of the driver. (§382.307)

POST-ACCIDENT TESTING

Post-accident testing is required if the CMV driver was involved in an accident involving a human fatality. Also, if anyone involved received immediate medical treatment or a disabled vehicle was towed away, and the CMV driver was cited within eight hours of the accident, testing is required. (§382.303)

RANDOM TESTING

Drivers must be selected for random drug and alcohol testing using a scientifically valid method where each driver has an equal chance of being selected each time selections are made. (§382.305)

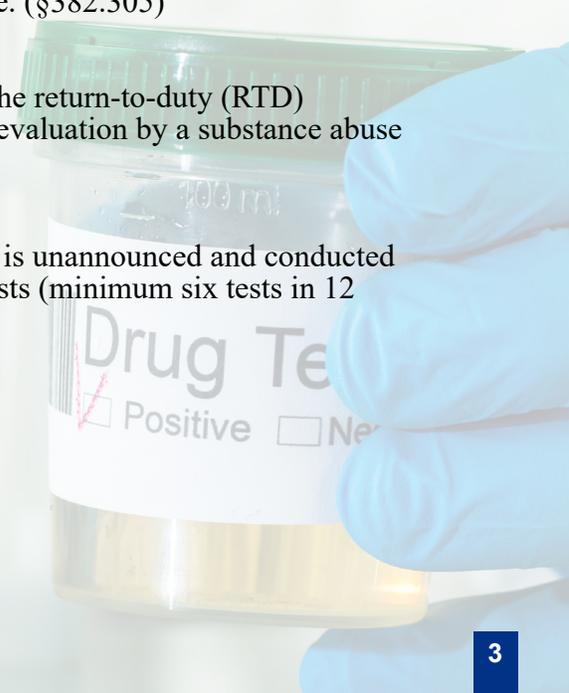
RETURN-TO-DUTY TESTING

If drivers violate FMCSA drug and alcohol policies, they must complete the return-to-duty (RTD) process before resuming safety-sensitive duties. This process includes an evaluation by a substance abuse professional (SAP) and other requirements. (§382.309)

FOLLOW-UP TESTING

After passing an RTD test, drivers must undergo follow-up testing, which is unannounced and conducted under direct observation. SAPs determine the number and frequency of tests (minimum six tests in 12 months), and follow-up testing can continue for up to 5 years. (§382.311)

Note: This article is meant to be a brief summary.



HOW MUCH REVENUE IS NEEDED TO PAY FOR A LOSS?



In the trucking industry, losses from accidents, liability claims, cargo damage, and other unforeseen incidents can significantly impact a motor carrier's financial health. Insurance may not cover certain losses, and if your company is operating within tight operating margins, even a single severe loss can disrupt profitability. Understanding the financial impact of these losses and the revenue required to recover without jeopardizing operations is crucial for long-term sustainability. Implementing risk management techniques can help mitigate these losses, reduce financial strain, and preserve profitability.

THE TRUE COST OF A LOSS

When a motor carrier experiences a loss—whether from an accident, cargo damage, or a legal claim—it's not just the immediate costs that affect the bottom line. The total cost of a loss includes:

- *Direct Costs* — These can include repairs, medical expenses, legal fees, settlements, increased insurance premiums, and any regulatory fines.
- *Indirect Costs* — Hidden expenses can include downtime, lost productivity, reputational damage, driver turnover, and increased regulatory scrutiny.

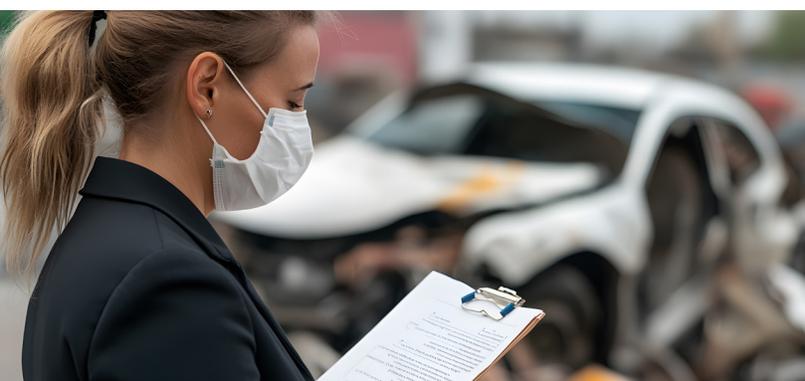
HOW MUCH REVENUE IS NEEDED TO COVER A LOSS?

Consider a typical motor carrier's operating margin to understand the revenue needed to recover from a loss. Suppose a trucking company operates on a net profit margin of 5%. Using this margin, the company's profit is only five cents of every dollar it generates. In that case, a \$100,000 loss requires \$2 million in additional revenue to offset the impact. The calculation, shown below with several possible profit margins, is $\text{Loss Amount} \div \text{Profit Margin} = \text{Loss Revenue}$.

Profit Margin	\$5,000 Loss	\$50,000 Loss	\$100,000 Loss
4%	\$125,000	\$1,250,000	\$2,500,000
5%	\$100,000	\$1,000,000	\$2,000,000
6%	\$83,333	\$833,333	\$1,666,667
7%	\$71,429	\$714,286	\$1,428,571
8%	\$62,500	\$625,000	\$1,250,000

Where will this additional revenue come from? Growing your operations to generate more revenue is an option, but adding drivers and trucks without proper management controls in place may increase your risk of additional losses. Conversely, decreasing expenses, like cutting staffing and maintenance, can also hurt your operations. Given the potentially high cost of losses, motor carriers can help protect their profits by implementing proactive loss prevention measures, like conducting regular safety training.

Note: These lists are not intended to be all-inclusive.



CALL TO ACTION

- Consider documenting and investigating the root cause of all accidents and injuries.



MITIGATE CLAIM COSTS USING RISK MANAGEMENT TECHNIQUES.

In the trucking industry, liability claims can be costly, often reaching millions of dollars. Nuclear verdicts—jury awards exceeding \$10 million—have become more common, putting financial strain on motor carriers. However, a proactive leadership team may significantly mitigate these costs by implementing effective risk management techniques. Consider the following tips that focus on safety, compliance, claims handling, and proactive legal strategies to help reduce the financial and reputational impact of liability claims.

IMPLEMENT A STRONG SAFETY CULTURE

A company's safety culture is its first defense against costly claims. Leadership teams can:

- *Prioritize Driver Training* — Investing in continuous training programs on defensive driving, hazard awareness, and accident prevention may reduce the likelihood of liability claims.
- *Use Telematics and Monitoring Systems* — GPS tracking, dashcams, and ELDs can help monitor drivers and alert management to violations and risky behaviors.

STRENGTHEN COMPLIANCE AND DOCUMENTATION

Regulatory compliance plays a vital role in mitigating liability. Leadership teams can:

- *Ensure Compliance with FMCSA Regulations* — Regulatory compliance can help keep drivers and vehicles safe and potentially minimizes legal vulnerabilities in the event of a claim.
- *Maintain Accurate Records* — Detailed maintenance logs, driver qualification files, and incident reports can be crucial evidence in defending against liability claims.

DEVELOPING A PROACTIVE CLAIMS MANAGEMENT STRATEGY

When an accident occurs, how a company handles the claim can significantly impact the final settlement amount.

Leadership teams can:

- *Respond Quickly to Incidents* — A well-defined accident response plan can ensure drivers and managers gather accurate information at the scene, including photographs, witness statements, and police reports.
- *Engage Legal and Insurance Teams Early* — Promptly involving attorneys and insurance adjusters may help control the narrative and prevent exaggerated claims.

CONTROLLING LEGAL EXPOSURE AND SETTLEMENT COSTS

Motor carriers must be prepared to defend against excessive claims. Leadership teams can:

- *Maintain Adequate Insurance Coverage* — Regularly reviewing insurance policies ensures that coverage limits align with the company's risk exposure, potentially preventing costly out-of-pocket expenses in the event of a significant claim.

Investing in risk management strategies today can help protect the company's future, including its financial health, reputation, and long-term success in an increasingly litigious industry.

Note: These lists are not intended to be all-inclusive.

CALL TO ACTION

- Consider implementing accident-response procedure .



KEY REQUIREMENTS FOR COMMERCIAL VEHICLE TOWING AND STORAGE

INVOICE REQUIREMENTS

- Invoice must be provided before an operator charges or demands payment
- Invoice must include:
 - Operator's legal name and name under which they carry on business;
 - Business address, email address and phone number;
 - Certificate number;
 - Name of person to whom the invoice is issued;
 - Date and time the towing services were provided;
 - Make model, colour, license plate number and vehicle identification number of the vehicle;
 - Locations from which and to which the vehicle was towed (for towing);
 - The address of the vehicle storage yard where the vehicle was stored (for storage)
 - Any amounts charged, in itemized detail;
 - The subtotal, tax and total amount charged;
 - Acceptable methods of payment

WHO CAN CONSENT TO TOWING OR STORAGE?

- The vehicle owner or a representative of the vehicle owner who is authorized by the owner to exercise control of the motor vehicle on the owner's behalf
- The driver of the motor vehicle or the other person exercising control of the vehicle
- The operator of the vehicle
- A representative of the vehicle owner's automobile insurance company

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The Learning Library provided by Old Republic Canada offers you access to safety videos and webinars for FREE on the Infnit-I Workforce Solutions training platform.

Over 300 videos in the Learning Library cover the latest safety issues in the trucking industry, from preventing crashes and injuries to reducing roadside inspection violations, and more!



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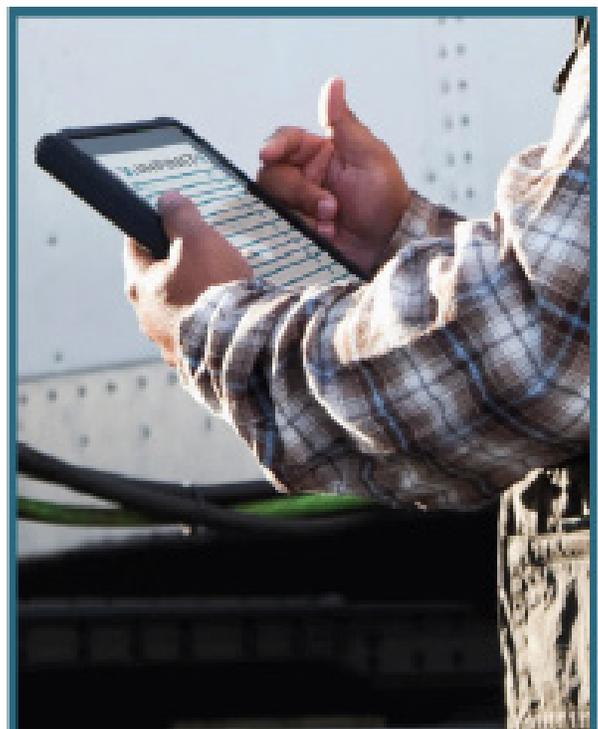
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LOGIN INSTRUCTIONS

1. Open your internet browser and go to orican.infinet-i.net.
2. At the Learning Library home page, enter your username and password to log in.
 - Username - Enter your primary Old Republic Canada policy number (Ex. T12345).
 - Password – Enter 'oldrepublic' as your password. Your password can be changed by completing your profile or calling Infnit-i Workforce Solutions at 877.792.3866 x300.
3. On the Resources page, click the 'Details' button to the left of the resource name to expand the selection.



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