



WHITEPAPER

How Dash Cams
Protect Your Drivers
and Your Business



EROAD

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The potential for accidents is an ever-present concern at all levels of the commercial transportation industry. Crashes are costly in many ways: Trucks and cargo can be damaged or destroyed. Insurance costs can increase. Worse yet, crashes put commercial drivers and the drivers of passenger cars at risk of injury or death. And given the increasingly litigious landscape that motor carriers operate in, the threat of large verdicts against carriers – often called nuclear verdicts because of their catastrophic impacts on individual carriers and the industry overall – is always looming.

There is real cause for concern among carriers. Research shows that both the number of legal cases against carriers and the dollar amounts awarded to plaintiffs in recent years have increased exponentially, which is a big factor in increases to insurance costs for all carriers. Research has also shown that, when it comes to a carrier's defense against an accident lawsuit, adherence to Federal Motor Carrier Safety Regulations is not enough. Other measures, beyond following FMCSRs, that carriers take to protect their drivers and their businesses include implementing driver safety, training and coaching programs.

But there is one powerful, yet underutilized, measure that can have a significant impact when it comes to defending or settling a case: **fleet dash cams**, which provide real-time video evidence that can exonerate a driver who has been in an accident – or, at least, help to establish degrees of fault among multiple parties involved in a crash – as well as support a carrier's other safety initiatives.

A Litigious Landscape

Lawsuits against trucking companies have increased at a “nearly exponential pace,” according to the American Transportation Research Institute (ATRI), which analyzed some 600 truck-involved court cases for its report: [Understanding the Impact of Nuclear Verdicts in the Trucking Industry](#).



SOME FINDINGS FROM THE ATRI REPORT:

■ Between 2010 and 2018, the average verdict award increased nearly 52 percent per year. For context, inflation and healthcare costs grew 1.7 percent and 2.9 percent, respectively, during that same period.

■ There were 26 cases involving awards of more than \$1 million in the first five years of the data that were analyzed; in the last five years, there were nearly 300. And the number of verdicts exceeding \$10 million almost doubled in that time.

■ When it comes to verdicts exceeding \$1 million, the average size increased from about \$2.3 million to nearly \$22.3 million between 2010 and 2018 – an increase of 967%.

The trend of more lawsuits and bigger verdicts against trucking companies seems to tell a story that truck drivers are more often at fault in accidents. The research, however, does not support that. Highly trained – not to mention, highly regulated and audited – commercial truck drivers are among the safest drivers on the road.

One thorough analysis of fatal truck-car crashes by the [University of Michigan Transportation Research Institute](#) found that drivers of passenger cars were assigned with a factor – something that led to an accident, such as driving at unsafe speeds – 71 percent of the time, while truck drivers were assigned a factor 16 percent of the time; 10 percent of the time, factors were assigned to both drivers. Moreover, in looking at car-truck crash configurations, researchers found that the car was the encroaching vehicle most often.

Those findings have been borne out in many other studies, per the [American Trucking Associations](#), which concludes: “The preponderance of research studies find that car drivers are principally at fault in approximately three-quarters of fatal car-truck crashes.”

The disparity between increasing verdicts against trucking companies and statistics that show that truck drivers are at fault for accidents far less often than car drivers is a clear indication that carriers need to take steps – beyond FMCSR compliance alone – to protect their drivers and their businesses. Among measures to be considered is adding dash cams to commercial fleets.

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American Trucking Associations



Dash Cams Offer Powerful Protection

EXONERATE DRIVERS

Dash cams provide an unbiased, unblinking witness to what happens on the road. In a world where truck drivers are often assumed to be at fault for accidents, video from dash cams can be powerful evidence for showing who truly is at fault – often exonerating truck drivers.

“Nuclear verdicts that reach seven or eight figures drive up insurance costs and potentially put a company out of business. If cameras stop one of those, they’ve paid for themselves,” said Chris Freeman, controller at California-based Bettendorf Trucking, which implemented [EROAD’s Clarity Connected Dashcam](#) into its fleet.

Even in less serious accidents not likely to result in over-the-top verdicts, dash cam video can help establish fault and bring a speedy resolution – saving motor carriers time and money.

In one incident, a Bettendorf truck outfitted with Clarity Connected was struck on the passenger side by a speeding passenger vehicle. Dash cam footage of the aftermath of the accident showed that the passenger car driver appeared to be impaired, and the driver’s insurance company contacted Bettendorf, saying it would pay for the damage to the truck.

The video “laid the groundwork, if anything had been contested, as to what condition the car driver was in at that moment,” says Bob Phipps, Bettendorf’s maintenance supervisor.

“Over time, our expectation is that the cameras should pay for themselves,” Freeman said.

Those cameras right there saved between \$150,000 and \$200,000 just by capturing the fraud and us not having to defend it.

Doug Williams, Defense attorney

That dash cam ROI was demonstrated in one highly publicized case, when dash cam footage helped expose a staged-accident scheme targeting truck drivers travelling through New Orleans.

A camera installed in a truck owned by Triple G Express captured video of two vehicles stopped in the far-right lane of New Orleans' Danziger Bridge. The truck changed lanes to pass the vehicles, which then began moving. Soon after, the staged accident occurred. Three people in the vehicle that collided with the truck sued, claiming injuries amounting to more than \$100,000.

"The plaintiffs in that case didn't know that we had this videotape. When we took their depositions, everybody in that car denied that they had stopped on the bridge," the trucking company's defense attorney said, according to [news reports](#). "Those cameras right there saved between \$150,000 and \$200,000 just by capturing the fraud and us not having to go and defend it."

COACH DRIVERS

According to the ATRI report, which included interviews with carriers, defense attorneys and plaintiff attorneys: "The ability of defense attorneys to document safety activities that exceed FMCSRs carries great weight with juries."

The use of dash cams in fleets can enhance carriers' safety programs by providing footage that can be used to train and coach drivers on safety-critical events that occur while driving, as well as aid in the creation of robust safe-driving incentive programs, showing carriers' commitment to safety.

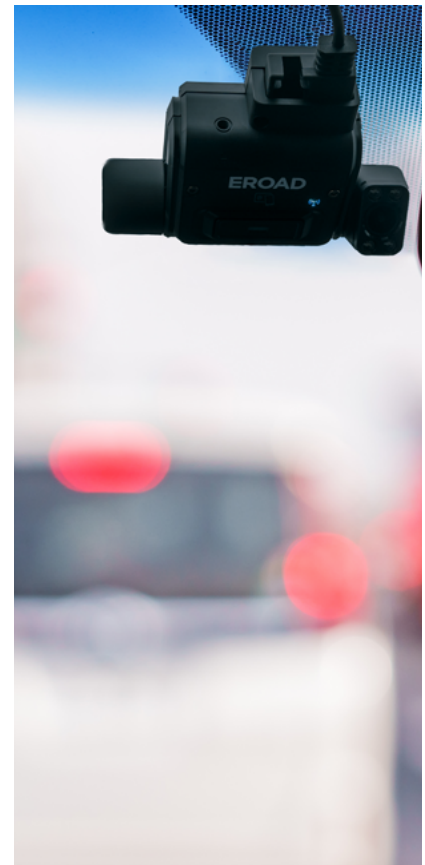
PROTECT CSA SCORES

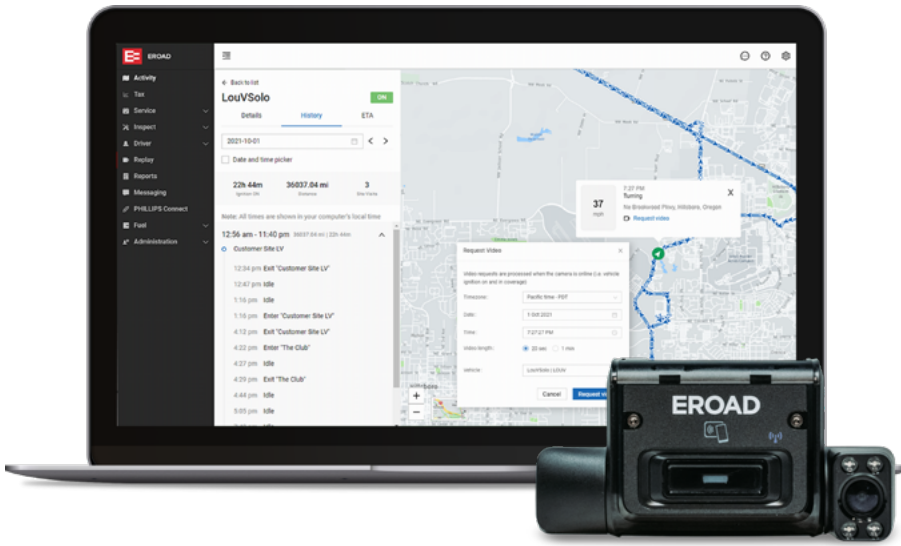
The FMCSA's Compliance, Safety, Accountability program is in place to hold carriers and drivers accountable for their role in road safety. The associated CSA score, which is public, helps identify high-risk carriers, who are more prone to be selected for compliance audits and roadside inspections.

Accident involvement is factored into CSA scores. [The Crash Preventability Determination Program](#) allows carriers to contest to remove unpreventable crashes from their scores. Video footage from a dash cam can provide compelling evidence that a crash was unavoidable, potentially increasing a carrier's ability to have the accident removed from their CSA score.

EXPEDITE SETTLEMENTS

While the data show that car drivers are often at fault in car-truck accidents, there are instances where the truck driver is either fully or partially responsible for a crash. In such cases, dash cam footage can help a carrier quickly make that determination and start the settlement process. This is beneficial because, according to the ATRI analysis, the longer it takes to resolve a case, the more expensive it becomes for the carrier.





EROAD Clarity Dashcams: A Dashcam for Every Fleet

EROAD's Clarity Dashcam products are designed to be reliable, durable and easy to use – for both drivers and the back office. Clarity Dashcams provide HD Cloud video with front-facing or dual front/driver-facing configurations, with the option of in-cab audio recording.

Clarity Dashcams are among the most user-friendly dash cameras available. When the truck is running, so is Clarity – recording continuously, even when out of cellular coverage.

The cameras send 20-second video clips back to the MyEROAD Replay web portal in real time when triggered automatically by safety events – such as harsh braking, sharp cornering and sharp acceleration – or manually by the driver pushing a button on the dashboard.

Video clips can be retrieved based on location or date and time. They are displayed with speed graphs and safety event data to make incident investigation easy. Each video clip captures 10 seconds before and after the triggering event. Videos can be shared easily within the organization for review and with third parties for purposes of incident investigation and resolution.

EROAD CLARITY CONNECTED DASHCAM

Clarity Connected integrates with the industry-leading EROAD ELD, making it the perfect option for fleets that are required to comply with hours-of-service rules.

[Learn more about Clarity Connected](#)

EROAD CLARITY SOLO DASHCAM

EROAD Clarity Solo is a single-device solution that does not require an ELD. The all-in-one device provides video, GPS tracking and telematics for fleets comprising light- and medium-duty vehicles, construction equipment and non-regulated heavy vehicles.

[Learn more about Clarity Solo](#)



ALL IN ONE PORTAL

Fully integrated with your EROAD fleet management system



EASY AND RELIABLE INVESTIGATIONS

Connect video clips to event logs, ELD and vehicle maintenance schedule



HIGH IMPACT DRIVER COACHING

Gather driver notes, behavior reports, video clips and photographs



BUILT TO LAST

Purpose-built for the extreme temperatures your trucks operate in



REDUCE DRIVER ERROR

Safety events trigger video clips and alerts to be sent to you



ALWAYS ON

Continues recording even when you are out of coverage



Why You Need to Add Dash Cams to Your Fleet Today

Transportation businesses are facing more accident-related lawsuits and larger verdicts than ever, even though commercial motor vehicle drivers are at fault far less often than the drivers of passenger cars. In some cases, commercial truck drivers are targeted by scammers who stage accidents to take advantage of this apparent anti-trucker bias. It's unfortunate, but it's also reality.

Motor carriers who embrace safety measures that exceed compliance with FMCSRs are in a better position to shield their drivers and their businesses. Dash cams are among the measures that carriers should consider. Video evidence from dash cams can exonerate drivers, facilitate speedier settlements and enhance carriers' training and coaching programs.

Given the risk that carriers take on every time a truck leaves the yard, dash cams offer affordable protection and peace of mind.



EROAD: reliable, accurate and easy to use fleet technology

With fleet management solutions like our dependable, durable and accurate [ELD](#), [Clarity Dashcams](#) and industry-leading [Asset Tracker](#) powered by Phillips Connect, EROAD is committed to helping our customers run safe, efficient and successful operations while staying in compliance with FMCSA regulations. [Contact us](#) today to learn more about our fleet management solutions.

Visit www.eroad.com or call **1-855-503-7623** to learn more about EROAD Clarity Dashcams