

## **Volunteer drivers**

### **Is a police records check useful for screening someone's driving record?**

In some cases a police records check can be useful for identifying a driver related offence but these criminal offences are only a small part of the types of driving offences that people can commit such as running red lights, speeding and other reckless driving. To check for these offences, volunteers need to obtain a driver's abstract or driver's record. The abstract shows all driving offences for the last five years. Driver's abstracts are provided free of charge.

### **How do I obtain a driver's abstract?**

Driver's abstracts are provided free of charge. You can obtain a copy of your driver's abstract free of charge via fax or mail by calling the Driver Licensing information phone line at 1-800-950-1498 or in Victoria 250/978-8300. You can also visit a Driver Licensing office and request a copy. Only the license holder can request a copy of his/her driver's record. For more information see [www.icbc.com](http://www.icbc.com).

## **Insurance**

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### **Does insurance reduce the risk in my volunteer programs?**

Insurance is only one form of risk management. While it can go a long way in protecting volunteers, organizations and board members, there are limits to what insurance policies can and will cover. It is important that volunteers and organizations avoid a false sense of security simply because they are insured.

There are many limits to all insurance policies. Insurance companies may refuse to pay for claims, or sue to recover losses, from those that demonstrate disregard for avoiding risk. Before granting or renewing a policy, insurers may also investigate an organization's claims history and ensure it has a risk management strategy in place. It is important, therefore, that insurance be considered in the context of a comprehensive risk management plan.

### **General insurance options that are available.**

Options for volunteers:

- homeowner insurance (may protect a volunteer against loss, theft of personal belongings)

- auto insurance. (may cover volunteer who uses his/her own vehicle while volunteering)

Note:

Volunteers who drive during the course of their duties should ensure that their automobile insurance coverage offers full protection for their activities. Because different activities require different kinds of auto insurance, it is important that volunteer drivers check for coverage in their particular circumstances.

Also:

Volunteers may want to increase the limit of their third-party liability insurance, especially if they have only the basic \$200,000 limit. This insurance covers any claims made by passengers, other drivers, cyclists, or pedestrians for injuries caused by the volunteer. Without the added protection, volunteers might have to pay any claims in excess of the \$200,000 limit out of their own pocket. The organization may supplement volunteers auto insurance.

Options for organizations: - comprehensive general liability insurance (typically covers claims arising from bodily injuries, property damage, lost wages and other losses suffered because of the negligence of the non-profit organization or its employees.)

Note:

Volunteers may also be included in the policy, or added by special agreement, usually at no extra charge. However, this type of insurance usually protects volunteers only in the case of accidents. If a volunteer deliberately hurts someone or damages his or her property, general liability insurance policies will probably not pay for the claim.

- auto insurance (two types of insurance: 1. when organizations possess their own vehicles a basic auto insurance is required 2. insurance to supplement the insurance of those who drive on its behalf, such as volunteers)

Note: There are two types of supplemental insurance: non-owned liability insurance for vehicles and special excess third party liability insurance.

Voluntary organizations that use the cars of volunteers to transport others should consider non-owned liability insurance for vehicles. This insurance covers claims arising out of the use of a vehicle not owned by the organization, but which is used for the organization's activities. It protects the organization when it is sued by other people for loss or injury to person or property. It does not protect the volunteer as a car driver if he or she is the only one being sued by the injured party. Therefore, even if the organization has this insurance, the volunteer should still maintain adequate vehicle insurance to cover claims arising out of the use of the volunteer's car.

Organizations may also wish to consider special excess third party liability insurance, which protects drivers against claims that exceed the limit of their auto insurance. For example, if a driver's insurance limit is \$200,000 and the organization's special excess third party liability insurance is \$1,000,000, it covers claims up to \$1,000,000 in excess of \$200,000.

## **What are the limitations of my insurance policy?**

Always check very carefully on the conditions and limitations of your insurance policy and make sure that you understand the fine print. Generally speaking though if you break the law, the insurance may become void and the company will not pay out a claim. For example, if a volunteer has an accident while impaired, ICBC will pay compensation to the injured people, but will then sue the volunteer to recover that money because Autoplan does not cover situations where the driver is impaired. Or indemnification may not be provided in cases where directors failed in their fiduciary duties. Insurance will not normally protect a director for a breach of fiduciary duty, such as profiting from a

conflict of interest. Simply put, directors who act against the interest of the organization, or betray their duties to the organization, cannot reasonably expect to have their legal costs or losses covered.

To ensure that you comply with the conditions of your insurance policy it is key to fully understand the conditions and ensure that volunteers fully understand. The job description, orientation and training and ongoing supervision play an important role in ensuring that volunteers at all time comply with policies and procedures.

### **What do I look for when buying insurance?**

- Shop around for an insurance broker who has experience with the non-profit sector (ask other organizations for references)
- Solicit bids every three to five years. Allow sufficient time for insurance companies to do a risk assessment of your organization.
- Ensure that all of your activities are covered, such as claims by volunteers or participants, or coverage for off-site activities. Have detailed information on your volunteer activities available.
- If legal defence costs are to be covered, determine whether you can use your own legal counsel and whether costs will be paid at the time they are incurred (very important as cases can drag on).
- Be extremely careful to provide accurate information on the application form.
- Fully disclose the organization's prior losses and provide details on ways the organization can avoid future losses.
- Report prior incidents that might give rise to a claim in the future.
- Keep in mind that many insurance agents operate on commission and may benefit from selling higher packages.