



# Risk Management

by Raymond C. Ellis, Jr.

## Courtesy vans pose a risk management dilemma if not maintained and licensed correctly

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All too often a hotel or resort's courtesy van (or "shuttle van") is an afterthought to many hotel managers. This often results in what turns out to be an illegal operation and a potential liability nightmare. In most states in the U.S. any hotel courtesy vehicle with 16 or more seats is considered a commercial vehicle and resultantly the driver must meet special licensing requirements. *Note: Removal of seats to accommodate luggage or to bring the number of seats below the 16 seat threshold in a vehicle built to accommodate 16 or more persons will NOT exempt that vehicle.* Here are some special considerations for operating commercial vehicles that hotel managers should bear in mind:

### Qualified driver

A person shall not drive a commercial motor vehicle unless he/she is qualified to drive a commercial motor vehicle. A person is qualified to drive a commercial motor vehicle if he/she:

- Is at least 21 years old.
- Can read and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records.
- Can, by reason of experience, training, or both, safely operate the type of commercial motor vehicle he/she drives.
- Is physically qualified to drive a commercial motor vehicle in accordance with subpart E – Physical Qualifications and Examination of Federal Motor Carrier Safety Administration, DOT Sec. 391.15. This regulation will apply when the vehicle is subject to Federal jurisdiction covering inter-state operation (i.e., a van driver from a Cincinnati hotel picking up or delivering passengers to the

### Quick Safety Checklist

- Inspect the vehicle, inside and out, for damage or malfunctioning signals and lights.
- Verify gas, oil, coolant, and windshield wiper fluids are sufficient.
- Check tires for evidence of aging or damage. Ensure tire tread depth is a minimum of 2/32 of an inch (4/32 of an inch if vehicle exceeds 10,000 lbs. maximum gross weight). As noted, inflate per information obtained from tire manufacturer and posted for maintenance and driver staff.
- Check brakes, including the emergency brake.
- Check that there is a fire extinguisher aboard and that it is fully pressurized.
- Untangle seat belts so a belt per seat is readily available.
- Where applicable, remind passengers seat belt use is mandated in your jurisdiction. (Yes. This means the driver must also use a seat belt.)
- Make sure you have enough vans and staff to ensure seats for all passengers. Maintain a standard operating procedure of NO STANDING! Use extra equipment and qualified staff.
- Check rear-vision units.
- Check door operation.
- Check onboard first aid kit. Resupply as needed.
- Be sure that the driver is at least 21 years of age and properly licensed and certified to drive the vehicle in use. Do not be tempted to ask any member of the bell staff or front desk to drive the courtesy vehicle unless they are properly licensed and certified. Doing so will likely invalidate the hotel's liability insurance.

Cincinnati/Northern Kentucky Airport, as the airport is located in Kentucky). For strictly intra-state operations, the state requirement where the hotel is located will apply.

- Has a currently valid commercial motor vehicle operator's license issued only by one state or jurisdiction.
- Has prepared and furnished the motor carrier (hotel) that employs him/her with the list of violations or certifications as may be required.
- Is not disqualified to drive a commercial motor vehicle under pertinent rules.
- Has successfully completed a driver's road test and has been issued a certificate of driver's road test or equivalent as may be required under the appropriate jurisdiction.

### **Passenger and cargo load**

All vehicles are rated for a maximum number of passengers and weight displacement that they can safely carry. These guidelines should never be exceeded under any circumstances as it will create a safety hazard to the occupants of the vehicle and other vehicles on the road. Vehicles that are overloaded are difficult for the driver to operate and place an increased burden on the engine and braking system of the vehicle. This can result in engine overheating, vehicular crashes, uncontrollable swaying of the suspension system, and increased fuel consumption and pollution output.

The distribution and weight load of the passengers and cargo is the responsibility of the operator and not the passengers. This means that the driver (and not necessarily a bellman or individual passengers who may help load the courtesy van) by reason of training, experience, or both, determines whether the cargo he/she transports (persons as well as luggage) have been properly distributed and secured in or on the commercial motor vehicle he/she drives. Because of the high center of gravity and propensity for unsecured cargo to shift in many vans, all shuttle drivers must be familiar with methods and procedures for safely securing passengers and cargo.

### **Basic maintenance**

Maintaining a hotel's shuttle van in top operating condition is an art, and a responsibility usually delegated to the team that drives the courtesy vehicles. The hotel's guests are depending on these vehicles and drivers to take them in a safe and comfortable manner to and from the hotel in a timely fashion. If their expectations are not met adequately, it could be traced back to whether or not the hotel placed an emphasis on the maintenance need of the vehicles. Keep in mind that hotel courtesy vehicles often operate in all kinds of weather, around the clock, and travel very short distances accommodating a number of different guests. This results in high mileage (much of it stop and go or "city driving") and excessive wear and tear on the vehicles.

Therefore, courtesy vans should be inspected on a daily basis or the beginning of each shift to ensure they are clean and safe to operate. A regular checklist should be used to guide this review and to note their inspection findings. These completed inspection checklists should be signed by each driver and then maintained on file for at least two years in the event of a future accident and possible lawsuit against the hotel. In order to present an affirmative defense in any liability claims, it is imperative that the hotel be able to show that it maintained a regular and interrupted practice of daily safety inspections.

Passengers will also appreciate a clean and well maintained vehicle. In many cases, the van is the first impression guests receive of your property. If it is clean and comfortable and functions well, guests will perceive it as an indicator of a well-run hotel because it is actually an extension of the establishment. Guests left stranded waiting for or even sitting on the shuttle van that broke down somewhere will only cause frustration and resentment towards the driver and hotel. In short, you want to make sure your guests are not miserable or angry before they even walk through your hotel door. Nor do you want to leave them waiting at the airport curbside or nearby shopping mall for prolonged periods awaiting pickup.

Regular maintenance is required to keep courtesy vehicles operating properly. Since most hotels will use off-site servicing locations for most scheduled maintenance, it is important to work with someone with a proven record of dependability. Also, recordkeeping is important to keep track of what needs to be done. Preventive maintenance not only keeps the program running smoothly, but also allows uninterrupted guest service.

### **Conserving energy**

Proper maintenance will also make a difference in the pollution dispersed in the environment as good maintenance minimizes pollution. The U.S. Department of Energy has developed operational tips to conserve energy through gas saving consumer tips:

#### **Did you know?**

The National Highway Traffic Safety Administration's (NHTSA) National Center for Statistics and Analysis (NCSA) conducted a 15-passenger van tire pressure study in 2004. Good tire care improves vehicle handling as well as fuel efficiency and tire life. Proper tire maintenance can prevent such events as tread separations and tire blowouts which may cause loss of control of a vehicle, when not handled properly, and result in a rollover. Low tire pressure can also increase stopping distances and the chances of hydroplaning on wet surfaces. The NHTSA recommends that all drivers be knowledgeable about the effects of tire pressure and driving, equipping vehicles with a tire gauge, and inflating tires to the recommended inflation pressure as specified on the vehicle placard and in the owner's manual. Each tire, including the spare, should be checked monthly, when cold, and set to the recommended tire inflation.

- *Keep the vehicle properly tuned up* to improve gas mileage by about 4%. Replacing a faulty oxygen sensor can improve mileage by as much as 40%.
- *Keep air filters clean* to improve mileage by up to 10%. Replacing clogged or dirty air filters also keeps impurities from damaging the inside of the vehicle's engine.
- *Keep tires properly inflated* to improve gas mileage by about 3.3% and improve tire safety and longevity. Maintain tire pressure in accordance with tire manufacturer inflation recommendations on all four tires to lower gas mileage by 0.4%. These recommendations can be found on the vehicle's owner's manual, as well as on a placard on the inner panel of the driver's door. In some commercial vehicles, it is not unusual for rear tires to be inflated at a higher pressure than front tires, but always follow the manufacturer's recommendation.
- *Use the manufacturer's recommended grade of motor oil* to improve gas mileage by another 1 to 2%. Look for the phrase "Energy Conserving" on the API performance symbol on the oil bottle/can to ensure friction-reducing additives.
- *Curtail aggressive driving.* Speeding and rapid acceleration and braking cut mileage up to 33% at highway speeds and by 5% in town. Eliminate jack-rabbit starts in favor of slow acceleration from a dead stop.
- *Obey the speed limit.* Speeding cuts fuel economy 7% to 23%, as gas mileage decreases rapidly above 60 mph. Driving faster than 60 mph is like paying more than the posted amount for each gallon of gas.
- *If available, use your vehicle's overdrive gear when appropriate* to reduce engine speed, which will enable you to save gas and reduce engine wear,
- *Use the vehicle's "cruise control" device* to help cut fuel consumption by maintaining a steady speed during highway driving.
- *Avoid idling whenever possible.* Vehicles with larger engines typically waste even more gas idling than vehicles with smaller engines. In recent years, many municipalities have passed ordinances prohibiting vehicles from idling for more than a few minutes. Idling increases pollution and engine wear and decreases gasoline mileage.
- *Whenever feasible, plan the pick-up or delivery routes so that the shortest distance is driven without back-tracking.* This will likely result in shorter wait times for guests and less wear and tear on the vehicle. Of course, a call received when you are on the route may necessitate back-tracking for a new pick-up.
- *If there is a more gas efficient vehicle, use it as much as possible.* Don't use the 15 passenger van to take three guests to the airport if the 7 passenger mini-van is available. Smaller vehicles consume less gasoline, generate less pollution, and are easier to maneuver in congested traffic lanes. ✧

### Hot tip

The National Safety Council offers defensive driving courses that can save operators up to 10% on motor vehicle insurance collision and liability premiums. Many of these courses can be completed online. Consider requiring all courtesy van drivers to complete this course to achieve substantial insurance savings and increase driving safety.

Website: [www.nsc.org](http://www.nsc.org) and click on the link for Safety on the Road.

*(Ray Ellis, Jr., is the founder and director of the Loss Prevention Management Institute, an affiliate of HospitalityLawyer.com. He has spent more than 50 years addressing safety and security concerns in the hotel industry. His textbook, Security and Loss Prevention Management, available from the American Hotel & Lodging Educational Institute, is an authoritative source of information for hotel managers. E-mail: [raycellis@gmail.com](mailto:raycellis@gmail.com)).*