

Here's Your Sign!!!

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Claims filed under the commercial general liability coverage can result in judgements or settlements ranging from a little a \$150.00 or as much as the limits of indemnification. Generally, these type claims are moderate in cost; however, they have a higher frequency of occurrence.

Proper signage, or the lack thereof, is a critical issue when faced with losses that may be incurred under the general liability indemnification.

Following are a few examples of serious claims that have resulted from deficiencies in municipal signage.

You might think that a death or serious injury resulting in a vehicle involved in a collision with a train at a crossing within the city limits would clearly be a liability of the railroad. After all the train belongs to the railroad, the engineer and crew are employees of the railroad and the collision occurred on railroad right away.

While all of the facts stated above are accurate there may be a level of liability assigned in judgment or considered in settlement negotiations as a result of improper signage which was the responsibility of the municipality. We have experienced losses when the signs posted by the municipality has failed to indicate multiple tracts, and cases for which the municipality was found partially liable because, ever though there were clearly visible cross bucks and unobstructed visibility of

the approaches there was not a posted stop sign, or a caution sign providing notice of the presence of a crossing.

Municipalities have been judged liable for property damage and bodily injury that have resulted from intersectional collisions because there was no stop sign, the stop sign was old and discolored, it was twisted so that it could not be clearly viewed, and because it was not visible due to obstruction by overgrown vegetation.

Serious injury has occurred due to the lack of proper warning signs and/or barricades in areas where road repairs are underway and have resulted in significant monetary judgment against the municipality.

As a part of your in-house risk management all municipal employees and especially public safety personnel should be encouraged to be the watchful sentinels of the municipality, providing continuing observation of and immediate reporting of deficient signage, that may be the cause of serious bodily injury and property damage, for which the municipality will be held liable.

If you need further information concerning this subject, please contact risk management at (225) 344-5002 or (800) 247-4965.