

# THE TURNER & HAMRICK EXPRESS



**Turner & Hamrick, LLC**

**P.O. Box 985**  
**440 U.S. Hwy 231 North**  
**Troy, AL 36081**  
**www.turnerhamrick.com**  
**P: 334-566-7665**  
**F: 334-566-7215**

**INSIDE THIS ISSUE:**

<i>Are you Covered?</i>	<b>2</b>
<i>Passenger Coverage</i>	<b>2</b>
<i>Key Employee</i>	<b>3</b>
<i>Client Spotlight</i>	<b>3</b>
<i>Office and Staff</i>	<b>4</b>

Turner and Hamrick, LLC is an Independent Insurance Agency serving Alabama and the southeastern United States. Protecting you and your business is our only focus. Enjoy the expertise, commitment, and professionalism that assures you will receive not only the best premiums, but also the finest service throughout your policy year.

## CELL PHONES AND TEXTING...

The government has taken the lead itself on this issue, as President Obama issued an executive order on 12/30/2009 that prohibits the use of cell phones and texting by government employees while driving on the job. It is clear that regulations impacting the transportation industry will follow shortly. For an overview of the government's initiative on this topic, please visit [www.distraction.gov](http://www.distraction.gov) for more information. The government can manage the use of cell phones and similar devices in a couple of ways. They will likely manage by

FMCSA prohibition for CMV drivers, but it would be prudent to also offer incentives to States that will ban texting for a broader cross-section of the motoring public. It is clear that cultural trends are extremely difficult to change. It will probably be easier to reach the professional truck driver, whose ability to make a living depends on highway safety, than to reach the average teenager texting and eating a value meal while driving a stick-shift down the highway. Either's actions can cause an accident involving a commercial vehicle and pose

risk to the motoring public. As we wait to see how DOT's actions will play out, I recommend that you pay special attention to what's going on in the industry around you and develop an effective policy that fits your specific needs.

If you need some assistance regarding this topic, feel free to contact Lane Vaningen for further guidance at (251)661-9700 or via email [lvaningen@transportationsafetyservices.com](mailto:lvaningen@transportationsafetyservices.com)

From Transportation Safety Services,  
 Lane Vaningen

## BE PREPARED TO DEFEND YOURSELF!

When running trucks it inevitable that eventually there will be an accident and you will have to defend yourself in court. Having all the necessary documents can keep your insurance company from paying out excessive claims.

It is becoming more frequent for plaintiff's attorneys to seek damages based on company / driver negligence than the accident itself. For example, if a driver's logs are not current the plaintiff will try and make a case that the driver legally shouldn't have even been at the scene of an accident. We have seen not-at-fault accidents pay huge damages due to false logs. Another area of concern is company policy and guidelines. Using the statement, "we hire according to insurance guidelines" will not cut it. This is basically saying you will hire any driver possible. If you incorporate insurance guidelines into your company guidelines, this will be enough. Just take their guidelines and put it in your driver handbook or on company letterhead. **KEEP IMPORTANT PAPERWORK!**

If a driver receives an excessive speed, has an accident, has a following too close, or gets a DOOS violation it is wise to at least give the driver a written warning or maybe even make them watch a safety video. By keeping the written warning and any re-training documents, you are showing that you are aware of a particular driver issue and you TRIED to correct the problem best as possible. If you have to go into court with a driver who has a rear-end accident and he has a previous following too close, the plaintiff will try and make it look like you run a loose ship and let your drivers run wild if you don't have paperwork acknowledging that you knew about the previous violation and addressed the problem. Saying that you spoke to the driver and told him he was on thin ice will not cut it in court.

## **ARE YOU COVERED?? ARE YOU SURE??**

Insurance and your exposure to risk ought to be something you think about frequently, especially when there is any change in your business.

Most times when we think of insurance, we think of fender benders and serious traffic accidents. However, accidents do not occur just on the road for truckers.

If you run a garage, a truck wash, or operate a warehouse as part of your trucking operation, you have more risks to consider – risks that may not be covered by your truck insurance. For these operations you may want to consider buying Commercial General Liability insurance.

Commercial General Liability protects you against liability claims for bodily injury and property damage arising out of premises, operations, products and completed operations, as well as advertising and personal injury liability.

Here are some reasons why you may want to purchase Commercial General Liability insurance:

- Customers on your premises.
- Salesperson on a customer's premises - what they say and do.
- Erroneous delivery of products, including liquids.
- Actions of a driver while on the premises of others, such as loading docks, truck stops, etc.
- Libel and slander exposures. Writing or saying something injurious, for example remarks made about an employee during a reference check.
- Taking in outside repairs or performing repairs for an owner/operator.
- Helping a disabled trucker fix his brakes at no charge, and they fail later.
- Selling extra tires or parts to another trucker – defense costs.
- Attractive nuisance on business property.
- "Guard dog" used to protect business property.
- Contractual liability - leases, key-stop, intermodal, etc.
- Fire legal liability on rental property.

For more information on this coverage contact your Turner & Hamrick agent today.

### **Passenger Coverage.....\$60 per year per vehicle!!!**

Turner and Hamrick has a new passenger policy for those of you who are allowing drivers to carry passengers: Limits are \$75,000 for Accidental Death, Dismemberment, and Medical Expense with an aggregate limit of \$225,000 with a \$100.00 deductible. Unlike other policies, this covers ALL non-employee passengers, over 10 years old, for the specified units.

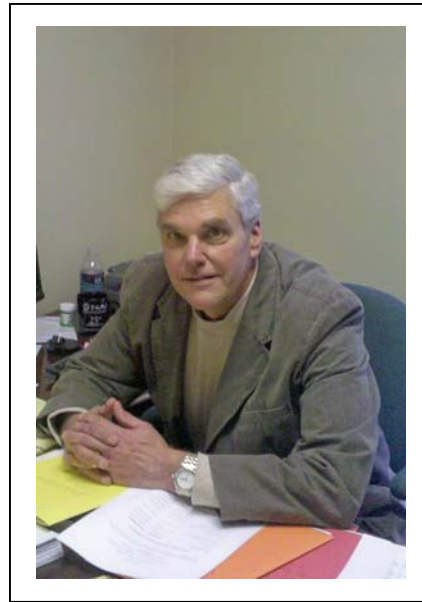
## KEY EMPLOYEE: CLAUDE CHAMBERS

Turner and Hamrick would like to welcome the newest member of our team, Claude Chambers. Claude joined Turner & Hamrick in August 2009 and is currently involved in account marketing and production.

Mr. Chambers graduated from Auburn University with a Bachelors Degree in Marketing. After college he worked for ALFA as an adjuster for seven years. He left ALFA to

work with Bill Hamrick at the Pinkard Agency where he worked as a producer for seven years. After his time at Pinkard he was hired, once again, by Bill Hamrick at The Palomar Agency. Claude marketed for Palomar for 15 years.

Claude currently lives in Andalusia, AL, and is married to Francie Chambers. They are getting ready to celebrate their 30th wedding anniversary. Claude and Francie have two children, Porter and Mark.



## CLIENT SPOTLIGHT: J-PAR, INC.



Turner & Hamrick would like to congratulate J-Par Inc., for being selected as the Client Spotlight of the Quarter.

J-Par is a dry van operation located in Roanoke, AL. J-Par was started in 2001 and was bought by Craig Elliott in 2003. Craig bought the company with three power units and has grown the company to the current size of 40 units. Craig contributes the success of the company to the dedication and support of the hard working staff and drivers.

Tommy Hicks, Robin Hodges, and Jimmy Clark are three veteran employees who have greatly contributed to the success of J-Par.

Prior to opening J-Par, Craig worked in construction and owned an asphalt company. Craig also played professional softball and is the only person to have hit a restricted-flight softball out of Turner Field. He played on 26 All-American / All-World teams. Craig lead the nation in batting average and home runs. He was recently inducted into the Softball Hall of Fame in December 2009.

The mission of J-Par is to provide on-time delivery to their customers. J-Par prides itself on their on-time delivery percentage of 99%.

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## Turner & Hamrick LLC

P.O. Box 985  
Troy, AL 36081



### OUR STAFF

- Bill Hamrick, President (bhamrick@t-hllc.com)
- Cheney Haugabook, Agent (chaugabook@t-hllc.com)
- Matt Vaughan, Agent (mvaughan@t-hllc.com)
- Steve Hewitt, Agent (turnerhamrick@gulftel.com)
- Austin Metcalf, Agent (ametcalf@t-hllc.com)
- Porter Reaves, Agent / Marketing (preaves@t-hllc.com)
- Claude Chambers, Agent / Marketing (cchambers@t-hllc.com)
- Brett Carlisle, Agent (bcarlisle@t-hllc.com)
- Shirley Warrick, Marketing (swarrick@t-hllc.com)
- Toni Jones, Marketing (tjones@t-hllc.com)
- Shannon Floyd, CSR (sfloyd@t-hllc.com)
- Lynn Jacques, CSR (ljacques@t-hllc.com)
- Judy Miller, CSR (judymiller@t-hllc.com)
- Eva Green, CSR Assistant (egreen@t-hllc.com)
- Mary Beth Sanders, CSR (marybethsanders@t-hllc.com)
- Chase Aldridge, Marketing (caldridge@t-hllc.com)
- Jim Harrell, Claims (jimharrell@t-hllc.com)
- Faye Maulden, Finance Manager (fmaulden@t-hllc.com)