

# Here's crash course in official travel rental car mishaps

## Agreement revised for Army travelers

By Capt. ERICK OTTOSON  
Claims Office

The rules governing liability for damage to vehicles rented while on TDY have changed recently. For most of fiscal '02, travelers could be held liable for damage to rental cars caused by their own negligence. As of Oct. 1, the "U.S. Government Rental Car Agreement," which is negotiated by the Military Traffic Management Command, was changed.

Under the revised agreement, participating companies will bear the cost of most damage, including damage caused by government driver negligence. Rental car companies are not responsible, however, in the event of intentional damage, fraud or misrepresentation, DUI, operation of the vehicle for an illegal purpose or by an unauthorized driver, or in various other circumstances primarily geared toward unethical conduct or inappropriate use of the vehicle.

To ensure maximum protection from liability, an employee renting a car for TDY should notify the company of his or her official travel status, and must rent the car using the official government VISA card. Use of the card is not only required by law, but also allows the traveler to take advantage of Bank of America's insurance, which covers most vehicles rented pursuant to official travel. In order to get the insurance coverage, the traveler must

decline the rental car company's collision damage waiver or similar coverage. In the event of an accident, in addition to notifying local police and the rental car company, the traveler should contact Bank of America by calling 1-800-VISA-911 within 20 days and comply with Bank of America's claims procedures. Among other things, Bank of America will require the completion of a claim form (which they will provide) within 90 days of the date of loss. Absent gross negligence on the part of the driver, Bank of America will then cover all damage (physical damage to and theft of the vehicle, valid loss-of-use charges, and towing charges) to the rental vehicle. The insurance does not apply if the vehicle is rented for more than 31 days, and does not apply to vehicles rented in Israel, Jamaica or Ireland. Information about the insurance coverage may be found at [www.visa.com/benefits](http://www.visa.com/benefits).

A related issue is the extent to which a government driver may be held liable for property damage or injuries inflicted on third parties. Under the current MTMC agreement, rental car companies are required to maintain insurance coverage to protect the United States and its employees against liability for personal injury, wrongful death and property damage arising from the use of rental vehicles. An employee faced with a demand from a third party or insurance company should notify the nearest Army claims office. The claims office will seek to invoke the aforementioned insurance coverage. If for some reason the

coverage was deemed not to apply, the government would evaluate the third party's claim for possible payment under the Federal Tort Claims Act, a federal law that allows the government to pay for damage or injuries caused by the negligence or wrongful conduct of its employees.

A few final notes: first, travelers are allowed to use their government travel card for car rental during leave authorized in conjunction with temporary duty. When this is done, the traveler can take advan-

tage of Bank of America's liability coverage during the leave period. Travelers are urged to verify travel card coverage by calling Bank of America before going on TDY. Second, a traveler without a Government Travel Card may benefit from coverage provided by his or her personal credit card. Employees should check with their credit card companies or personal insurance policies to determine whether they have liability protection before renting a vehicle.

## ■ Veteran recalls good and bad times in Vietnam

### Veteran

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School and Katherine, a junior at Athens High.

Davis is a member in several veterans organizations including the Veterans of Foreign Wars, Disabled American Veterans, American Legion and is president of the Vietnam Veterans of America chapter 511 in Athens and senior vice president of the Alabama state council of the VVA.

"It keeps me active and out there contributing. It gives me something to do," Davis said. "If you've been to Vietnam, it's a brotherhood-sisterhood. All veterans are a part of that brotherhood. Vietnam Veterans are simply one group focused to a particular time frame with people with similar experiences. They are

people you can get goofy with and no one wonders why."

Davis spent Veterans Day in Birmingham, supporting the honoree named Alabama State Vietnam Veteran of the Year, who happens to be a member of the Athens chapter. While in Birmingham, he placed a flag on his father's grave. Edward "Buddy" Davis was a first sergeant in World War II.

"As a nation we're very fortunate," Davis said. "There were sacrifices made way before my generation. There were sacrifices my generation made. There were sacrifices succeeding my generation. One generation passes the torch to the next. From the beginning down through World War II, Korea, Vietnam, Grenada, Panama, Desert Storm, and now Operation Enduring Freedom. I'm part of that torch passing. I'm very proud of that."



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