Court of Claims

or

Self Insurance?

Ohio Department of Transportation
Chief Legal Counsel’s Office
Court of Claims and Vehicle Accident Reporting Sections

This information is intended to expedite and assist in the filing of Insurance Claims or Lawsuits against the Ohio Department of Transportation.

COURT OF CLAIMS:

The Ohio Court of Claims is a court which was created in 1975 with exclusive jurisdiction over all law suits against the State of Ohio for money damages. The Court is located at 65 South Front Street, Third Floor, Columbus, Ohio 43215.

The Ohio Court of Claims’s number is: 614-387-9800

The liaison for ODOT with the Court of Claims of Ohio is the ODOT Court of Claims Coordinator in the Court of Claims Section of ODOT’s Chief Legal Counsel’s Office. This section is located on the First Floor of the Ohio Department of Transportation, 1980 West Broad Street, Columbus, Ohio 43223.

The ODOT Court of Claims Coordinator’s phone number is: 614-466-2728

SELF INSURANCE:

The Self Insurance Program (liability coverage only) is administered by The Auto Liability Section of The Office of Risk Management, Department of Administrative Services. This office is located at 4200 Surface Road, Columbus, Ohio 43228.

The DAS phone number is: 614-466-9075

The liaison for ODOT with the Office of Risk Management is the Vehicle Accident Reporting Section of the Chief Legal Counsel’s Office, located on the Third Floor of the Ohio Department of Transportation, 1980 West Broad Street, Columbus, Ohio 43223.

The ODOT phone number is: 614-644-8176 or 614-644-8170
INSTRUCTIONS FOR ODOT EMPLOYEES WHO ARE CONFRONTED WITH A CLAIM SITUATION:

#1: **BE POLITE!** Make certain the citizen has your name and contact information, but do not discuss liability. Let the caller know you will give instructions regarding how to make a claim but the Office of Risk Management will determine whether the claim should be paid once it is filed.

#2: **DOCUMENT:**
1. Caller’s name and mailing address;
2. Driver/Owner/or injured person;
3. Date and time of call;
4. Location of accident/injury/problem; and
5. Date and time of accident/injury/problem and any other relevant information.

#3: You may suggest to the person alleging damage or injury that an Ohio State Highway Patrol Report would be helpful, or communication with local law enforcement to memorialize the claim or damages.

#4: Immediately report the alleged injury or damage to the appropriate ODOT personnel or SHP where necessary (see below for Central Office contact info.)

**NOTE:** If you direct a claim through the Court of Claims of Ohio and it should be filed through the Office of Risk Management, the claimant loses their twenty-five dollar filing fee and the claim is delayed while it is being dismissed and submitted through the Office of Risk Management.
CLAIMS THAT ARE PROCESSED BY THE OFFICE OF RISK MANAGEMENT

Any damage or injury claims resulting from the actions or negligence of an ODOT driver/operator/employee and the actions of a SELF PROPELLED ODOT vehicle or piece of equipment are processed through The Office of Risk Management and should be directed through that office via your District or Central Office Safety Representative.

VEHICLE ACCIDENT SECTION
of the Chief Legal Counsel’s Office

614-644-8176 or 614-644-8170

CLAIMS THAT ARE PROCESSED BY THE OHIO COURT OF CLAIMS & ODOT'S COURT OF CLAIMS DEFENSE SECTION, OFFICE OF CHIEF LEGAL COUNSEL

Monetary claims resulting from damage or injury that occurs on ODOT property or property maintained by ODOT and DID NOT result from an ODOT vehicle or piece of self propelled equipment is process through the Court of Claims.

If you receive a call regarding a claim that sounds like it should be processed through the Court of Claims of Ohio, give the caller the telephone number for the Court of Claims of Ohio. The Court will mail them a complaint form with instructions on completing the form.

The Court of Claims of Ohio number is: 614-387-9800 or 1-800.824.8263. Court’s web site is: www.cco.state.oh.us

NOTE: DO NOT MAKE A STATEMENT THAT THEY WILL BE REIMBURSED AFTER THEY FILL OUT THE CLAIM FORM. That is a decision for Chief Legal or the Courts.
COMMON CLAIMS/ COMPLAINTS:

CONSTRUCTION ZONES

If damage or injuries are alleged by someone while traveling through a construction zone, direct the caller to the construction office in your district. Contractors have liability insurance to cover these claims.

OBJECTS OR DEBRIS IN THE ROADWAY

Damages or injuries alleged as a result of debris laying in the roadway (under ODOT’s jurisdiction), where the debris was not dropped by a self-propelled ODOT vehicle or piece of equipment immediately prior to the time of the damage or injury, are to be filed thought the Court of Claims. Provide the caller with the telephone number for the Ohio Court of Claims. The Court will mail them a complaint form with instructions on completing the form.

Damages or injuries alleged from debris dropped directly from a self-propelled ODOT vehicle or piece of equipment onto a vehicle, person or path while the ODOT vehicle is on the immediate premises are filed through the Office of Risk Management via your District Safety Representative.

NOTE: Inquire if the debris is still in roadway and immediately notify the appropriate ODOT personnel so it can be removed.

DEFECTS IN THE ROADWAY

If damages or injuries are alleged as a result of a defect in the roadway, shoulder or berm and are under ODOT’s jurisdiction, give the caller the telephone number for the Court of Claims of Ohio. The Court will mail them a complaint form with instructions on completing the form.

NOTE: Immediately notify the appropriate ODOT personnel so the defect can be corrected as soon as possible. DOCUMENT YOUR CALL!

WINDSHIELD DAMAGES

Alleged damage to a windshield which was a direct result of the actions or negligence of the driver or operator of a self propelled ODOT vehicle or piece of equipment, should be directed through The Office of Risk Management via your Central Office or District Safety Representative. Any other source of damage to a windshield other than by ODOT vehicles or equipment should be addressed on an individual basis.
**ODOT SIGNS**

Damages or injuries alleged as a result of a falling ODOT sign or from striking an ODOT sign in the road maintained by ODOT, where the sign was NOT dropped by a self propelled ODOT vehicle or piece of equipment, are filed through the Court of Claims of Ohio. Give the caller the telephone number of the Court of Claims of Ohio.

If damages or injuries are alleged as a result of an ODOT sign which was dropped directly onto or into the path of a vehicle or person by a self propelled ODOT vehicle or piece of equipment and the damage was detected before the ODOT vehicle left the scene, direct the claim through the Office of Risk Management via your Central Office or District Safety Representative.

**MISCELLANEOUS TYPE OF CLAIMS**

Following are examples of various types claims; it is not exhaustive.

- Asphalt/tar damage to vehicle after driving through fresh application
- Berm drop off
- Design of roadway
- Hand tools, i.e. shovel, weed eater, push mower, jackhammer
- Life-lights
- Mounds of snow/ice/grits/gravel in roadway
- Open manhole
- Paint over spray when paint was NOT administered by a self propelled vehicle
- Placement of cones or barricades
- Potholes
- Rocks in road (from landside)
- Road surface
- Salt damage to crops/plants from run off
- Signs-placement
- Slick pavement
- Standing water
- Traffic control
- Vegetation

Any alleged damage or injury which may have resulted from this list, or similar claims, are filed through the Court of Claims of Ohio. These are only filed with the Court of Claims of Ohio if such incidents occurred on highways under ODOT’s jurisdiction or were due to ODOT’s negligence.

**If you are in doubt about any of the above, call or refer the complainant to:**

ODOT’s Court of Claims Section, Office of Chief Legal at: 614-466-2728