

# *Protect Yourself: Get Wise on Property Losses*

## Office of the Staff Judge Advocate, Litigation and Claims Branch

The federal government is not an insurance company. Every loss suffered as soldiers, or government employees is not covered by Uncle Sam. That's where private insurance comes in.

The Military Personnel and Civilian Employees' Claims Act, as implemented by Army Regulation 27-20, allows for compensation for some unusual vehicle losses or damage which occurs on post, if the property owner's negligence did not contribute to the loss.

The following guidelines are provided for your benefit:

Neither the passenger compartment nor the trunk of a vehicle is a proper place for the long-term storage of non vehicular equipment. Such items stored overnight and for longer periods, even in the trunk, are not normally claimable.

Safeguard your property. Store items in your residence to avoid a break-in. Easily pilferable items include: stereo items not factory installed, luggage, handbags, wallets, cameras, expensive clothing and jewelry.

Stereo items that are not factory installed, such as CD players, tape decks, speakers, radios, and similar accessories should be bolted to the vehicle. If not mounted, your stereo accessories should be stored in your residence rather than left unattended in the vehicle.

Exceptions may be granted for maps, CDs, stereo tapes, child car seats, and similar items of negligible value kept in the passenger compartment for immediate use.

Car covers and car bras are payable only if they are bolted or secured to the vehicle with a wire locking device.

Bicycles, motorbikes, or motorcycles should be kept inside or chained to a fixed object outside — such as a rack, pole, post, or tree to prevent them from being stolen. Locking handlebars or locking the wheels together normally does not provide sufficient protection.

Damage due to a collision, including any hit-and-run damage, is compensable only when your vehicle is being used under orders for the convenience of the government (provided you did not cause the collision) or if the collision is the fault of an operator of a military vehicle.

Local regulations require operators of vehicles on the installation to carry liability insurance. If you're additionally covered by comprehensive insurance, you must make a demand (claim) on your private insurance company before any claim for loss or damage to the insured property may be considered by the government.

This rule applies not only to vehicular losses, but to any loss or damage to property covered by insurance. (Private insurance does not have to be used if your loss resulted from a collision by an operator of military vehicle.)

The insurance claim may be filed concurrent with your claim against the government. You may ask the government to pay any uncompensated loss not paid by your insurance company or request that your entire claim be paid by the government provided you allow the government to pursue your insurance claim.

If you are the victim of a vandalism or collision on this installation, contact the Presidio of Monterey Police immediately to report the incident. Obtain a copy of the final police report to submit with your claim.

The bottom line: a claim against the government is only paid in very narrow circumstances. If you have a nice car, you should insure it. If you have valuable personal property, you should insure it.

Questions regarding claims should be addressed to Personnel Claims, Office of the Staff Judge Advocate, at 242-6396.