YOUR RISK RADAR

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Understanding Risk Gaps in Your Coverage in Today's Liability Environment

WHAT'S HAPPENING

The liability landscape for freight intermediaries is evolving. A recent Supreme Court decision on **The Montgomery Case** clarified that negligent hiring claims against brokers can proceed under state law, removing a longstanding federal preemption defense and introducing **direct exposure tied to operational decisions.** While specific to freight brokers, the broader implication applies across the supply chain: **how you select, document, and manage partners may now be evaluated as part of a liability claim.**

WHERE RISK GAPS COMMONLY EMERGE

Many organizations have established processes but not all are built to withstand litigation or underwriting scrutiny. **Common gaps include:**

- **Informal selection criteria**
  Decisions based on experience or relationships without defined standards
- **Inconsistent data review**
  Safety, compliance, or operational data not evaluated systematically
- **Limited documentation**
  Inability to demonstrate what was reviewed or why a decision was made
- **Lack of exception controls**
  Higher-risk decisions made without documented rationale

RISK TRANSFER: WHEN COVERAGE MAY NOT ALIGN

As exposure evolves, insurance programs may not fully reflect the risk:

- General liability may **not respond to auto-related bodily injury**
- Contingent auto coverage may be **limited or absent**
- Excess limits may **not reflect current loss severity trends**

At the same time, intermediaries are not subject to the same insurance requirements as motor carriers, creating potential gaps in how risk is ultimately absorbed.

WHY OPERATIONS AND INSURANCE ARE NOW CONNECTED

Underwriting is increasingly process-driven, with greater focus on:

- Documented selection and vetting protocols
- Consistency across operations
- Evidence of disciplined decision-making

This creates a clear reality:

Operational discipline supports both defensibility and insurability.

ROANOKE PERSPECTIVE

Roanoke's approach reflects this shift, helping clients align **risk control, documentation, and insurance strategy** to support more defensible outcomes.

Request Your Coverage Gap Analysis

Understanding where your organization may have exposure is not always straightforward. Roanoke offers an expert-led **Coverage Gap Analysis** to help identify potential disconnects between your operations and insurance program.

LET'S TAKE A LOOK TOGETHER