

**SUGGESTED PRACTICES TO INCREASE THE SAFETY
OF
EMERGENCY DRIVING OPERATIONS**

In today's fire service many apparatus operators are, in fact, amateur truck drivers operating large, heavy vehicles under emergency conditions. Given such circumstances, it's obvious that these drivers will have a much greater accident potential or liability exposure than that experienced by regular commercial truck drivers.

Accidents will happen and, in today's atmosphere of knee-jerk litigation, every fire company or department would be well-advised to take steps now to increase the safety of their emergency driving operations and to improve their stance in any future liability action.

To this end, it is suggested that some of the practices found in the trucking industry be adopted. (Each suggestion will be preceded by a question that might be asked by a litigant's attorney in court.)

(Chief, what kind of a driving record does your driver have? Did you check on it before letting him drive your fire equipment?)

FIRST: An abstract of the driving record of every driver or driver-trainee should be obtained from your state motor vehicle agency annually.

(Tell the court Chief, do you know if your driver has any medical conditions that might impair his ability to safely operate a large emergency vehicle?)

SECOND: All drivers or prospective drivers must pass a medical examination as specified by the USDOT before being permitted to drive apparatus and every two years thereafter. The medical service performing this examination should be chosen by the company or department and should also have the capability of performing the screening specified in the third suggestion below. The department or company should be prepared to fund these examinations as some health insurance providers will not do so.

(Chief, after the accident, the police sent your driver to be screened for drugs or alcohol and he tested positive. Did you know he was a substance abuser? Was he tested before being allowed to drive?)

COMMENTARY: There is some debate as to what degree fire apparatus drivers are subject to CDL regulations. The different exemptions, etc. offered by some states only add to this debate. Bottom line, however, if a police officer orders your driver to be tested he'd better do it. If he doesn't, you may argue in court that he wasn't required by law to do so, but the only thing the jury will hear is that he refused to take the test. (If he had nothing to hide, why refuse?)

(Chief, how is your firefighter qualified to drive a fire engine? Isn't it true he had no prior experience driving anything except his auto?)

FOURTH: All drivers or trainees will successfully complete a certified EVOC class in addition to in-house driver training. Permanent records will be kept of ALL driver training lessons, refreshers and tests.

COMMENTARY: This practice will provide certification of formal driver training which becomes even more important if your in-house driver-trainer does not have a trainer's certificate. The fifth practice follows this same line of thought.

FIFTH: Although your state may not require it, all drivers are urged to obtain a Commercial Drivers License with an air brake endorsement. **FIFTH (cont.):** If you have articulated apparatus or tankers, those endorsements are also appropriate. Apparatus should be made available for the drivers' tests.

(Does your fire department have a safety program, Chief? How do you monitor the performance of your drivers?)

SIXTH: Establish a safe driving committee for your organization:

- To manage your safe driving program
- To monitor driver training and suggest improvements
- To seek ways to make current driving SOPs safer
- To review accidents to improve future driving practices
- To consider any complaints against drivers

(Firefighter Smith, witnesses have testified that you were driving your fire engine at a very high rate of speed just before the accident. How fast do you say you were going? Were you utilizing your emergency lights and siren at the time?)

have other practices they would like you to adopt. They may also have a library of audio-visuals that you can draw upon for safety training. Maintaining a good working relationship with this department now will stand you in good stead later should your "loss experience" turn bad. Make certain they are aware of the details of your driver-safety program as this may reduce your premiums.

Adopting measures such as these will definitely have a positive effect on the safety of your emergency driving operations.

You will have tighter supervision of your drivers.

Your drivers will be more safety-minded.

You will know that your drivers are physically fit.

You will know they are not hiding bad driving records.

Members with abuse problems will not apply for driver training.

Recording devices will make your drivers more speed-conscious.

Recorded speed records will support your testimony in litigation.

Your drivers' qualifications will be certified by training records.

Safe drivers will be recognized for their efforts.

Additionally, you will have a bonus benefit in that you will clearly demonstrate that your organization is pro-active where safety is concerned.

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