Apparatus Driving Considerations

Warning Lights and Siren
When responding to an emergency incident, warning lights must be on and sirens must be sounded to warn drivers of other vehicles and to request the right-of-way at traffic intersections. The use of sirens and warning lights does not automatically give the right-of-way to the emergency vehicle. Warning devices simply request the right-of-way from other drivers, based on their awareness of the emergency vehicle’s presence. Emergency vehicle drivers must make every possible effort to make their presence and intended actions known to other drivers and must drive defensively to be prepared for unexpected and inappropriate actions of others. The use of lights and siren is authorized only in conjunction with emergency incidents. Unnecessary emergency response shall be avoided. In order to avoid any unnecessary emergency response, the first arriving unit will advise additional units to alter to a non-emergency response whenever appropriate.

Speed
Fire department vehicles are authorized to exceed posted speed limits only when responding under favorable conditions. This applies only with light traffic, good roads, good visibility, and dry pavement. Under these conditions a maximum of 10 mph over the posted speed limit is authorized. Under less than favorable conditions, the posted speed limit is the absolute maximum permissible. Drivers of fire department vehicles shall not exceed the posted speed limit in school zones. When emergency vehicles must travel in center or oncoming traffic lanes, the maximum permissible speed shall be 20 mph.

Intersections
Intersections present the greatest potential danger to emergency vehicles. When approaching and crossing an intersection with the right-of-way, drivers shall not exceed the posted speed limit. When emergency vehicles must use center or oncoming traffic lanes to approach controlled intersections (traffic light or stop sign), they must come to a complete stop before proceeding through the intersection, including occasions when the emergency vehicle has green traffic lights. When approaching a negative right-of-way intersection (red light, stop sign), the vehicle shall come to a complete stop and may proceed only when the driver can account for all oncoming traffic in all lanes yielding the right-of-way. The use of lights and siren is authorized only in conjunction with emergency incidents. Unnecessary emergency response shall be avoided. In order to avoid any unnecessary emergency response, the first arriving unit will advise additional units to alter to a non-emergency response whenever appropriate.

Seat Belts
All McCutchanville Fire Department members are required to use seat belts at all times when operating a department vehicle. Any person riding as a passenger in a department vehicle is also required to use seat belts. The operator will confirm that all personnel and riders are on board, properly attired, and have seat belts on before the
vehicle is permitted to move. All personnel shall ride only in regular seats provided with seat belts.

**Backing Fire Apparatus**
Drivers shall avoid backing whenever possible. Where backing is unavoidable, ground guides shall be used. The ground guide shall position behind the backing apparatus and signal the apparatus operator of potential problems in backing. When the apparatus has completed backing, the guide shall be relieved. If no guide is available, the driver shall dismount and walk completely around apparatus to determine if obstructions are present before backing. Appropriate warning lights and ground illumination lights must be on when backing.

**Defensive Driving**
During an emergency response fire vehicles should avoid passing other emergency vehicles. If passing is necessary, permission must be obtained through radio communications. The unique hazards of driving on or adjacent to the emergency incident scene requires the driver to use extreme caution and to be alert and prepared to react to the unexpected. Drivers must consider the dangers their moving vehicles pose to personnel and spectators who may be preoccupied with the emergency and may inadvertently step in front of or behind a moving vehicle. The operator of the vehicle is responsible for the overall safety of all vehicle operations and managing compliance of this procedure. Fire equipment operators are practitioners of this policy and shall be familiar with departmental policy and vehicular operation.

**Emergency Response Checklist**
McCutchanville Fire Department vehicles shall be operated in a manner that provides for the safety of all persons and property. Safe arrival shall always have priority over unnecessary speed and reckless driving while responding to an emergency incident. Prompt, safe response shall be attained by the Operator completing the following checklist prior to leaving and during the operation of the apparatus:

1. Ensure all compartment doors are closed on the apparatus and exterior mounted equipment appears to be secure.
2. Make sure all personnel are on board, seated, and seat belts fastened.
3. Wait to move the apparatus until the station bay doors are completely opened.
4. Ensure that the apparatus warning lights are activated prior to leaving the stations and placing the apparatus in a drive gear.
5. Drive defensively and professionally at a speed appropriate for the situation and compliant with policy.
6. Confirm the location and directions to the emergency incident with the company officer.
7. Place wheel chocks around the front and back of the rear, driver’s side tire on large fire apparatus anytime it is parked outside of quarters.
Driving Record
Any employee that operates a department-owned vehicle shall possess a valid driver’s license from the state of members’s residency. Members shall make verbal notification to the department Driving Officer within twenty-four (24) hours of loss of driver’s license and shall make a follow up notification within three (3) calendar days of the incident. Members shall make written notification within seven (7) calendar days of any traffic violation convictions. Written notifications shall be made by Email.

Any member convicted of a Class A driving violation will ensue a driving suspension of eighteen (18) months. Additionally the member will be required to re-enter and complete the Driver Operator Training Program.

Any member convicted of two (2) Class B driving violations within a three (3) year period will be issued a warning from the Fire Chief and letter entered into the members personnel file.

Any member convicted of three (3) Class B driving violations within a three (3) year period will be issued a suspension of driving privileges for a period of ninety (90) days.

Equipment Stored in the Cab
All equipment stored in the cab of vehicles shall be secured and mounted in their appropriate locations when the vehicle is in motion. This includes portable radios, PPE items, and any other object that could cause injury to responders during a vehicle accident. The utilization of storage compartments to secure loose items is encouraged.

Accidents
All accidents shall be immediately reported to a ranking officer and investigated by the appropriate law enforcement agency. The Fire Chief shall be responsible for notifying other city departments and insurance agencies.

Complaints
All complaints on a driver operators performance behind the wheel of a department apparatus will be investigated. The Driver Training Officer in conjunction with the Fire Chief will investigate each case and determine appropriate disciplinary actions if applicable. Disciplinary actions include re-entry into the driver training program, suspension of driving privileges for a set time, or permanent termination of driving privileges.
Legal Considerations
Types of Laws and Regulations.

- Indiana code.
- Administrative law.
- Local ordinances.
- SOG and SOP.
- Case law

Indiana code
Created by legislature- elected representatives meet to create “law” for Indiana.
- I.C. 36-8-10.5-7(c)- Mandatory Training.
- I.C. 36-8-12-11- Blue Lights.

Administrative agencies
Examples:
- Board of Firefighting and Personnel Standards.
- Bureau of Motor Vehicles (BMV).
- Indiana Occupational Safety and Health Agency (IOSHA)

Local Ordinances
None

SOP
See Department SOP’s on driving

Case Law
- 2001, Southern Indiana, resulted in the death of a civilian.
- Criminal.
- Volunteer firefighter was responding to a call in his POV and struck a civilian car while he was passing a line of cars.
- Pleased guilty to criminal recklessness and sentenced to one year in jail.
I.C. 36-8-10.5-7(c)- Mandatory Training

(D) in addition to the requirements of subsections (a) and (c) the minimum basic training requirements for full-time and volunteer firefighters must include successful completion of an instruction course on vehicle emergency response driving safety. The education board shall adopt rules under IC 4-22-2 to operate this course.

I.C. 9-21-1-8- Emergency Vehicles

(a) This section applies to the person who drives an authorized emergency vehicle when:

(1) responding to an emergency call;
(2) in the pursuit of an actual or suspected violator of the law; or
(3) responding to, but not upon returning from, a fire alarm.

(b) The person who drives an authorized emergency vehicle may do the following:

(1) Park or stand, notwithstanding other provisions of this article.
(2) Proceed past a red or stop signal or stop sign, but only after slowing down as necessary for safe operation.
(3) Exceed the maximum speed limits if the person who drives the vehicle does not endanger life or property.
(4) Disregard regulations governing direction of movement or turning in specified directions.
(5) Execute a lawful intervention technique if the person has completed a training course that instructs participants in the proper execution of lawful intervention techniques.

(c) This section applies to an authorized emergency vehicle only when the vehicle is using audible or visual signals as required by law. An authorized emergency vehicle operated as a police vehicle is not required to be equipped with or display red and blue lights visible from in front of the vehicle.

(d) This section does not do the following:

(1) Relieve the person who drives an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons.
(2) Protect the person who drives an authorized emergency vehicle from the consequences of the person's reckless disregard for the safety of others.
**I.C. 36-8-12-11- Blue Lights.**

(a) Members of volunteer fire departments may display blue lights on their privately owned vehicles while en route to scenes of emergencies or to the fire station in the line of duty subject to the following conditions:

1. A light:
   - (A) must have a light source of at least thirty-five (35) watts; or
   - (B) may be a blue light emitting diode (LED).

2. All lights must be placed on the:
   - (A) top of the vehicle;
   - (B) dashboard inside a vehicle, shielded to prevent distracting the driver;
   - (C) front of the vehicle upon the bumper or at bumper level.

3. No more than four (4) blue light assemblies may be displayed on one (1) vehicle, and each blue light assembly must be of the flashing or revolving type.

4. A blue light assembly may contain multiple bulbs.

5. A blue light may not be a part of the regular head lamps displayed on the vehicles. Alternately flashing head lamps may be used as a supplemental warning device. Strobe lights or flashers may be installed into the light fixtures on the vehicle other than the alternating head lamps. The strobe lights or flashers may be either white or blue, with the exception of red to the rear.

(b) In order for a volunteer firefighter to display a blue light on a vehicle, the volunteer firefighter must secure a written permit from the chief of the volunteer fire department to use the blue light and must carry the permit at all times when the blue light is displayed.

(c) A person who is not a member of a volunteer fire department may not display an illuminated blue light on a vehicle.

(d) A permittee of the owner of a vehicle lawfully equipped with a blue light may operate the vehicle only if the blue light is not illuminated.

(e) A person who violates subsection (a), (b), (c), or (d) commits a Class C infraction. If the violator is a member of a volunteer fire department, the chief of the department shall discipline the violator under fire department rules and regulations.

(f) This section does not grant a vehicle displaying blue lights the right-of-way under IC 9-21-8-35 or exemption from traffic rules under IC 9-21-1-8. A driver of a vehicle displaying a blue light shall obey all traffic rules.
(g) This section shall not be construed to include a vehicle displaying a blue light and driven by a member of a volunteer fire department as an authorized emergency vehicle (as defined in IC 9-13-2-6).

**IC 9-13-2-6 Authorized Emergency Vehicles**

Sec. 6. "Authorized emergency vehicle" means the following:

1. The following vehicles:
   - (A) Fire department vehicles.
   - (B) Police department vehicles.
   - (C) Ambulances.
   - (D) Emergency vehicles operated by or for hospitals or health and hospital corporations under IC 16-22-8.

2. Vehicles designated as emergency vehicles by the Indiana department of transportation under IC 9-21-20-1.

3. Motor vehicles that, subject to IC 9-21-20-2, are approved by the Indiana emergency medical services commission that are:
   - (A) ambulances that are owned by persons, firms, limited liability companies, or corporations other than hospitals; or
   - (B) not ambulances and that provide emergency medical services, including extrication and rescue services (as defined in IC 16-18-2-110).

4. Vehicles of the department of correction that, subject to IC 9-21-20-3, are:
   - (A) designated by the department of correction as emergency vehicles; and
   - (B) responding to an emergency.


**I.C. 9-21-17-20- Use of Audible and Visual Signals.**

(a) Upon the immediate approach of:

   1. an authorized emergency vehicle making use of an audible signal and visual signals; or
   2. a police vehicle properly and lawfully making use of an audible signal only; a pedestrian shall yield the right-of-way to the authorized emergency vehicle.

(b) This section does not relieve the person who drives an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway or from the duty to exercise due care to avoid colliding with a pedestrian.

(a) Upon the immediate approach of an authorized emergency vehicle, when the person who drives the authorized emergency vehicle is giving audible signal by siren or displaying alternately flashing red, red and white, or red and blue lights, a person who drives another vehicle shall do the following unless otherwise directed by a law enforcement officer:

(1) Yield the right-of-way.

(2) Immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the highway clear of any intersection.

(3) Stop and remain in the position until the authorized emergency vehicle has passed.

(b) Upon approaching a stationary authorized emergency vehicle, when the authorized emergency vehicle is giving a signal by displaying alternately flashing red, red and white, or red and blue lights, a person who drives an approaching vehicle shall:

(1) proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the authorized emergency vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as approaching vehicle; or

(2) proceeding with due caution, reduce the speed of the vehicle to a speed at least ten (10) miles per hour less than the posted speed limit, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.

A person who violates this subsection commits a Class A infraction.

(c) Upon approaching a stationary recovery vehicle, a stationary utility service vehicle (as defined in IC 8-1-8.3-5 ), a stationary solid waste hauler, or a stationary road, street, or highway maintenance vehicle, when the vehicle is giving a signal by displaying alternately flashing amber lights, a person who drives an approaching vehicle shall:

(1) proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the recovery vehicle, utility service vehicle, solid waste hauler, or road, street, or highway maintenance vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as the approaching vehicle; or

(2) proceeding with due caution, reduce the speed of the vehicle to a speed at least ten (10) miles per hour less than the posted speed limit, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.
A person who violates this section commits a Class B infraction.

(d) This section does not operate to relieve the person who drives an authorized emergency vehicle, a recovery vehicle, a utility service vehicle, solid waste hauler, or a road, street, or highway maintenance vehicle from the duty to operate the vehicle with due regard for the safety of all persons using the highway.