REGULATIONS & POLICIES

Emergency Vehicle Operator Course

Module 6

Routine Driving

- MD statutes provide no special exceptions or exemptions for emergency vehicles operating in a routine mode
- Routine driving requires adherence to all posted signs and traffic laws
- Emergency vehicles are held to a higher standard of conduct by the public; especially during routine driving
- Be courteous

Maryland Code – Transportation
§ 19-103 - Liability for negligent operation

(b) Liability of operator. -- An operator of an emergency vehicle, who is authorized to operate the emergency vehicle by its owner while operating the emergency vehicle in the *performance of emergency service*…..shall have the immunity from liability described under § 5-639(b) of the Courts and Judicial Proceedings Article.

- Emergency Service: responding to an emergency call or fire alarm
- § 5-639 does not provide immunity from suit to an operator for a malicious act or omission or for gross negligence of the operator

Maryland Code – Transportation
Duty of Care

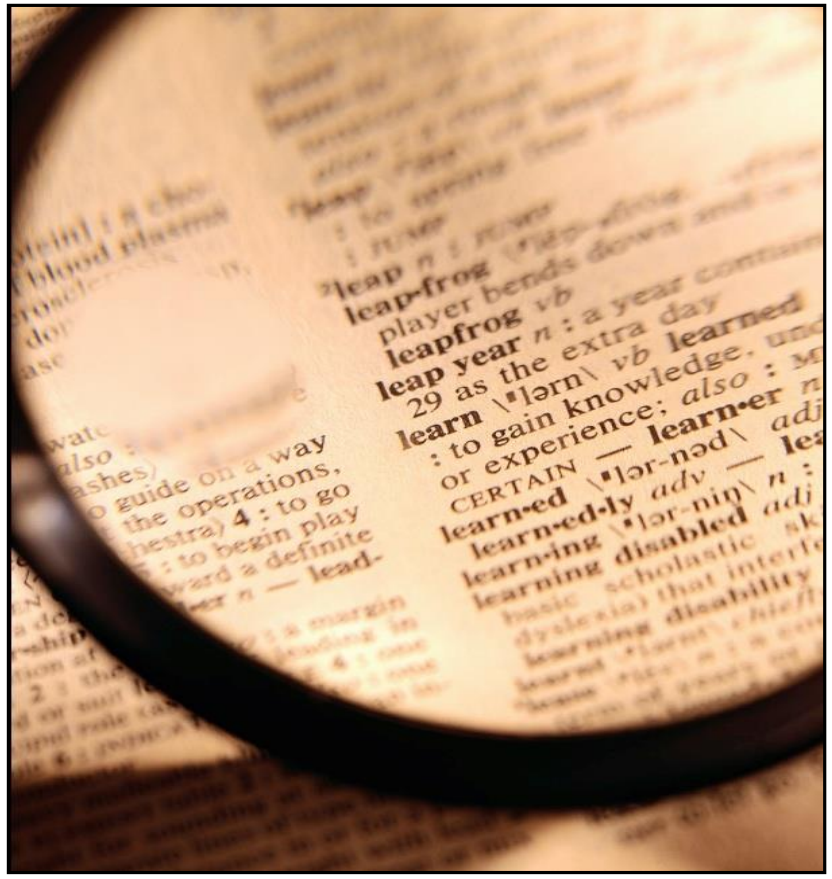
None of the privileges or exceptions in the statutes relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all persons.

Definition of Key Terms

- **Policy**—a principle or course of action adopted toward an objective.
- **Procedure**—prescribes specific ways of doing specific activities which regulates the formal steps in an action or a series of steps followed in a particular order.

Definition of Key Terms

- **Guideline**—a statement, indication, or outline of policy by which to determine a course of action.
- **Rule**—a principle set up by an authority prescribing or directing actions or forbearance.



Definition of Key Terms

- **Regulation**—a rule or order prescribed by an authority to regulate conduct
- **Constitutional Laws**—laws that come from the U.S. Constitution and guarantee the rights of the individuals involved
- **Statutory Laws**—laws that come from legislative acts
- **Ordinances**—enacted by a governing body or its agent (a city or county)
- **Agency Rules and Regulations**—enacted by local agencies or jurisdictions

NHTSA Terms

- True Emergency—a situation in which there is a high probability of death or serious injury of an individual or significant property loss.
- Due Regard/Care—the degree of care that a prudent person would use under similar circumstances

Legal Terms

- **Negligence**
  - a failure to exercise the care that a reasonably prudent person would exercise in like circumstances.
  - COMAR - Negligent driving.- A person is guilty of negligent driving if he drives a motor vehicle in a careless or imprudent manner that endangers any property or the life or person of any individual.
- **Gross Negligence**
  - a conscious, voluntary act or omission in reckless disregard of a legal duty and of the consequences to another party
- **Willful and Wanton**
  - denotes conduct that is extreme and outrageous, in reckless disregard for the rights of others
- **Vicarious Liability**
  - legal liability placed on one person for the acts committed by another person

CODE OF MARYLAND

Maryland Code – Transportation
§ 11-118 Emergency Vehicle – Defined

"Emergency vehicle" means any of the following vehicles that are designated by the Administration as entitled to the exemptions and privileges set forth in the Maryland Vehicle Law for emergency vehicles:

(2) Vehicles of volunteer fire companies, rescue squads, fire departments, the Maryland Institute for Emergency Medical Services Systems, and the Maryland Fire and Rescue Institute;

(3) State vehicles used in response to oil or hazardous materials spills;

(5) Ambulances; and

(6) Special vehicles funded or provided by federal, State, or local government and used for emergency or rescue purposes in this State.

Maryland Code – Transportation
§ 22-218 - Audible and visual signals

- Every emergency vehicle, in addition to any other equipment and distinctive markings required, shall be equipped with a siren, exhaust whistle, or bell capable of giving an audible signal.
- Every emergency vehicle, in addition to any other equipment and distinctive markings required by the Maryland Vehicle Law, shall be equipped with signal lamps mounted as high as practicable, which shall be capable of displaying to the front and to the rear a flashing red light or lights. These lights shall have sufficient intensity to be visible at 500 feet in normal sunlight.
- Fire Apparatus and Ambulances may be equipped with or display red and/or white lights or signal devices.

Maryland Code – Transportation
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- Emergency Service: responding to an emergency call or fire alarm
- § 5-639 does not provide immunity from suit to an operator for a malicious act or omission or for gross negligence of the operator

Maryland Code – Transportation
Duty of Care

None of the privileges or exceptions in the statutes relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all persons.

Maryland Code – Transportation
§ 21-106 - Emergency Response

Privileges granted to fire department drivers are:

(1) Park or stand without regard to the other provisions of this title;

(2) Pass a red or stop signal, a stop sign, or a yield sign, **but only after slowing down as necessary for safety**;

(3) Exceed any maximum speed limit, but only so long as the driver does not endanger life or property;

(4) Disregard any traffic control device or regulation governing direction of movement or turning in a specified direction (no left turn, no u-turn, etc.)

Maryland Code – Transportation
§ 21-106 - Emergency Response

- Privileges apply only while the emergency vehicle is using audible and visual signals
- Driver not relieved from duty of care. -- This section does not relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all persons.

Maryland Code – Transportation

§ 21-405 & § 21-510 – Yield to emergency vehicles

On the immediate approach of an emergency vehicle using **audible and visual signals:**

- Drivers and pedestrians shall *yield the right-of-way*.
- Drivers shall drive immediately to *a position parallel to and as close as possible to the edge or curb of the roadway*, clear of any intersection.
- Drivers shall stop and stay in this position until the emergency vehicle has passed.

Maryland Code – Transportation
§ 21-706 - passing school vehicle

(a) If a school vehicle has stopped on a roadway and is operating the alternately flashing red lights, the driver of *any other vehicle* meeting or overtaking the school vehicle shall stop at least 20 feet from the front or rear of the school vehicle.

(b) If a school vehicle has stopped on a roadway and is operating the alternately flashing red lights, the driver of any other vehicle meeting or overtaking the school vehicle may not proceed until the school vehicle resumes motion or the alternately flashing red lights are deactivated.

(c) Exceptions. -- This section does not apply to the driver of a vehicle on a divided highway, if the school vehicle is on a different roadway.

Maryland Code – Transportation
§ 21-801 – Basic Rules of the Road

(a) Reasonable and prudent speed required. -- A person may not drive a vehicle on a highway at a speed that, with regard to the actual and potential dangers existing, is more than that which is reasonable and prudent under the conditions.

(b) Driver to control speed. -- At all times, the driver of a vehicle on a highway shall control the speed of the vehicle as necessary to avoid colliding with any person or any vehicle or other conveyance that, in compliance with legal requirements and the duty of all persons to use due care, is on or entering the highway.

(c) Drivers to reduce speed in certain circumstances. -- Consistent with the requirements of this section, the driver of a vehicle shall drive at an appropriate, reduced speed when approaching and crossing an intersection at which cross traffic is not required to stop by a traffic control device.

Maryland Code – Transportation
§ 21-1109 – Following Apparatus

(a) Fire apparatus. -- Unless he is on official business, the driver of a vehicle may not:

(1) Follow within 500 feet of any fire apparatus traveling in response to a fire alarm; or

(2) Drive or park within 300 feet of any fire apparatus stopped in response to a fire alarm.

(b) Passing parking or backing emergency vehicles. -- The driver of a vehicle may not pass an emergency vehicle within 100 feet of an entrance ramp of a fire or rescue station when the emergency vehicle is in the process of parking or backing.

Maryland Code – Transportation
§ 21-1120 - Wearing headsets

- The wearing of earplugs, headsets, or earphones while driving a motor vehicle is prohibited under normal circumstances.
- The prohibition of headsets does not apply to a person operating an authorized emergency vehicle:
  - Under emergency conditions; or
  - Who is wearing a headset for the purpose of communicating with other emergency personnel.

Maryland Code – Transportation
§ 21-1110 - Crossing fire hose

Unless he has the consent of the fire department official in command, the driver of a vehicle may not drive over any unprotected hose of a fire department that is laid down on any highway or private driveway.

Maryland Code – Transportation
§ 22-412.4 – Seat Belts in Emergency Vehicles

(b) Required. -- A vehicle registered in the State and manufactured and assembled after January 1, 1990 shall be equipped with a seat belt or safety restraining device approved by the local authority having jurisdiction for each position on the vehicle that may be lawfully occupied by a passenger.

MCFRS POLICIES

Department Policies

- **Policy 808** – Safe Emergency Vehicle Operation
  - Fitness for duty
  - Vehicle preparedness
  - Driving procedures
- **Directive 04-21** – MCFRS Safe Driving Action Plan
  - Reducing response mode
  - Maximum speeds
  - EMS transport priorities
  - Collision reporting
  - Cell phone use

MCFRS Guidance
Policy 808

- During routine driving, fire apparatus has no exemptions from traffic laws
- Personnel not confident in operating a vehicle should request additional training or practice
- Drivers must not knowingly drive/operate vehicles with mechanical defects that could effect safety
  - Notify your officer
  - Consult with CMF
  - MCFRS OOS criteria

MCFRS Guidance
Policy 808

Driver's licensing

- Must possess a valid non-provisional motor vehicle operator's license
- License status changes (revocation, suspension, disqualification, downgrades) must be reported to a supervisor and cease driving fire apparatus
- Convictions for any moving violation must be reported to a supervisor

Fitness for duty

- Physical conditions
- Medications
- Fatigue or psychological impairments

MCFRS Guidance
Policy 808

Apparatus drivers must:

- Strive to eliminate their own errors and allow for lack of skill or improper actions of other drivers
- Adjust to unusual weather, road and traffic conditions, and avoid being led into collisions by unsafe acts by others
- Recognize situations that lead to collisions, identify prevention options, and execute options to avoid collisions
- Remain accountable for their actions and operate within acceptable policies, procedures, and laws

MCFRS Guidance
Policy 808

Intersections

- Must reduce speed at all intersections to negotiate a full stop when the intersection cannot be safely entered
- Speed must allow the vehicle to remain fully controlled and safely stopped to avoid a collision
- Drivers must anticipate the need to yield to any vehicle already in any part of the intersection when responding against a red light
- Right-of-way may have to be yielded to avoid a collision

Statute and policy do not require a full stop, however *you must slow down* to be able to stop.

MCFRS Guidance
Policy 808

Following other apparatus

- At least 3 seconds interval
  - ✚ *Vary your siren pattern*
  - ✚ *Traffic assumes there is just one emergency vehicle*

Night driving

- Stopping distance must be within the forward view of the vehicle headlights – do not outdrive the sight distance

Pedestrians

- Always have the right-of-way
  - ✚ *Statute requires pedestrians to yield, however you are obligated to avoid a collision even if right-of-way has to be given away*

MCFRS Guidance
Policy 808

- Drive to accommodate the unpredictable behavior of other drivers
- Vehicle clearance and height
  - Know your vehicle
  - Avoid tight clearance situations when possible
  - Officer must dismount and guide the driver in tight clearances
- Drivers must be aware of vehicle height, weight, and ground clearance

MCFRS Guidance
Policy 808

Overhead Doors

- Never enter an opening with a moving overhead door
- Never stop or park in an overhead door opening
- Never activate an overhead door with a vehicle in the opening
- Never activate an overhead door without a full view of the vehicle and door by either the door operator or a spotter

✚*Do not rely upon automated sensors to stop overhead doors*
✚*Assume all overhead doors are on a timer*
✚*In an unfamiliar station, determine the operating characteristics of the overhead doors during shift change*

MCFRS Guidance
Policy 808

Parking

- During emergencies or fire prevention activities – use fire lanes or unconventional spaces when other spaces are not available
- All other times – use regular parking spaces
  - During non-emergent situations, park to avoid backing or becoming trapped by other vehicles
  - Use the less congested areas of parking lots or streets around businesses to minimize conflict with other vehicles

Alleys, Driveways, or Buildings

- Stop immediately prior to driving onto a sidewalk or roadway
- Yield to pedestrians and vehicles

MCFRS Guidance
Policy 808

Backing

- Unit officer must dismount to the driver's side rear of the apparatus
- Unit officer will establish eye contact with the driver – if lost the vehicle must stop
- Additional personnel may be positioned to assist
- Use of spotters <u>does</u> <u>not</u> relieve the driver of responsibility for safe vehicle operation

MCFRS Guidance
Policy 808

Backing

- If no spotter is available, the driver must conduct a circle check before backing
- EMS units must use spotters if possible, including at hospitals
  - If not spotter is available, driver must conduct a circle check
- All vehicles must use a spotter or the driver must conduct a circle check except for passenger size vehicles
  - Staff cars, command buggies, brush trucks
- Spotters must use standardized hand signals

MCFRS Guidance
Policy 808

- Responding units must not pass each other unless advised to do so by the lead unit
- Responding units may not pass a school bus that is displaying flashing red lights – establish eye contact with the bus driver and proceed only at their direction
- During all travel, apparatus must stop at all unguarded railroad crossings
  - Guarded and unguarded crossings require looking and listening for train traffic before proceeding

MCFRS Guidance
Policy 808

- During emergency response, units must allow sufficient distance between responders based upon road conditions, traffic, etc.
  - Beware that motorists who yielded to another responder may not yield to you!
- During emergency response, drivers may exercise the privileges granted to them by statute when:
  - Ensuring the safety of persons and property, and
  - Weather conditions and visibility provide an adequate field of view

MCFRS Guidance
Policy 808

- Drivers need to know their area
  - Be aware of the running routes of other responding units – anticipate intersecting paths
  - Know areas that require special consideration – dips, hills, intersections, gridlock areas, steep changes in grades, construction or detours, weight restrictions, height restrictions, school zones
- Slow down while approaching the scene!
  - Let the officer complete a size-up
  - Identify an advantageous position for the apparatus
  - Bystanders will be distracted by the incident
  - Watch out for other emergency personnel working the scene

MCFRS Guidance
Policy 808

- Personnel must not mount or dismount moving apparatus.
  - Officers and drivers are responsible for passengers being seated and/or restrained before moving
  - Riding the tailboard is forbidden
- Headlights are to be used during emergency responses and when windshield wipers are needed
- Driving with snow chains
  - Adhere to the speed guidelines provided by the chain manufacturer
  - Open the cab windows at least 3”
  - All crew members need to listen for broken chains
  - Broken chains require the unit to stop and repair or remove the broken chain

MCFRS Guidance
Policy 808

- Wheel chocks must be used whenever parked anywhere outside of the station
  - Passenger size apparatus may use parking brakes in lieu of chocks
  - On grades, turn wheels toward the curb
- Daily apparatus checks should ensure compartment doors, cab doors, loose tools and equipment are secure to prevent loss or damage during travel
- Functional checks of visual and audible emergency equipment should be done in a manner that does not confuse passing motorists
  - Check warning lights indoors with the bay door down
  - Sound audible devices for a short duration with the warning lights off

MCFRS Guidance
Directive 04-21

- Unit officers on the scene of “routine” incidents should consider reducing incoming units to non-emergency response
- Unit officers are responsible for the driver’s actions
  - Direct the driver to slow down
  - Direct the driver to cease unsafe operations
  - Authority to discontinue a response if necessary
- MCFRS drivers may not exceed the posted speed by more than 15mph at any time during emergency responses

MCFRS Guidance
Directive 04-21

- During emergency responses drivers must be able to come to a complete stop at all intersections to avoid a collision
- All personnel in MCFRS vehicles must wear seatbelts
  - Unit officers are responsible for authorizing movement of the vehicle
- All MCFRS vehicle collisions must be reported immediately by the investigator to the Safety Office
  - Safety Officers
  - Battalion Chiefs
- Cell phone use while operating medium or heavy duty apparatus is forbidden

MCFRS Guidance
FCGO 19-10

- Effective 1/1/2020
- Proceed, Routine, and Respond
  - Proceed/Routine: drive without the use of warning devices in a prompt manner to the destination
  - Respond: drive with use of warning devices to the destination
- BLS Routine Response – call type grouping where units proceed in lieu of respond
- Stable P2 and P3 patient transports are done in routine mode unless a clinical benefit outweighs the risks
- Mode of transport must be documented on the EPCR
- Allows for the use of warning lights and scene lights upon arrival at the scene as needed for crew safety

Vehicle Collisions
Policy 24-02

- Establishes investigation and reporting procedures
- Defines responsibilities for MCFRS personnel, supervisors, ECC, Duty Chief, Battalion Chief, Safety Officer, investigators, Safety Section, and Fleet Section
- Following a collision:
  - Stop and secure the apparatus
  - Notify ECC and supervisor
  - Notify police
  - Render aid to injured
  - Remain on scene

Vehicle Collisions
Policy 24-02

- If a collision occurs during an emergency response or transport, the unit may continue to travel if:
  - The collision occurs while responding
  - The situation requiring response is life-threatening
  - There are no injuries at the collision scene
- If conditions dictate leaving the scene, the unit and crew must:
  - Record the license numbers of involved vehicles
  - Provide MCFR unit info to other people involved
  - Advise other involved parties to remain on scene and await MCFR
  - Immediately upon completion of the emergency incident return to the collision scene or make contact with the MCFRS collision investigator

Vehicle Collisions
Policy 606

- Defines review procedures following a vehicle collision involving MCFRS apparatus
- Identifies responsibilities of personnel involved, fleet management, and review committees
- Establishes review process for vehicle collisions and other near-miss incidents
- Uses a point system to quantify preventability and severity
  - Points are tied to disciplinary recommendations

Vehicle Collisions
Policy 26-08

- Authorizes post collision drug and alcohol screening
- Required when an employee is the operator of a vehicle involved in a collision resulting in
  - personal injury or
  - at least $2500 in property damage
- Vehicle operator must submit to testing immediately after being released by police from the scene

SUMMARY

- In addition to the rules and regulations of routine driving, apparatus operators must know the laws governing emergency response
- Policies and procedures established by MCFRS expand upon and refine expectations beyond Maryland regulations
- Drivers must know regulatory and policy information to remain within the boundaries of acceptable behavior