

Upshur County ESD #1 Driving and Accident Policy (Approved June 10, 2024)

Upshur County ESD 1 pays for the vehicle and station insurance for all member Volunteer Departments and our carrier is VFIS. With this, it is imperative that each department adopt a driving and accident policy for their department which meets these minimum requirements. If the department has no adopted policy, it will be assumed under contract that the department will use this policy as their driving and accident guidelines. Contracted departments (Gilmer, Gladewater, and Big Sandy) are exempt from these requirements and should have their own policies and guidelines for their drivers.

Each department should have a driver selection policy which includes a background check for traffic violations. VFIS recommends, www.intellicorp.net for all background checks, but each individual department may choose their own company to complete a comprehensive background check. VFIS has a list of violations that should concern your department when you are selecting driver candidates, this may be found at VFIS Drivers Selection document.

Drivers should have an initial check off and participate in an industry accepted driver training program such as one provided by VFIS University, and they should regularly participate or have driver operator refresher reviews to discuss driver safety. Resources can be found at **VFISu.com or at RESPONDERHELP.COM**.

Driver training records should be kept by the members' department.

Fire Department Apparatus Operations

1. Drivers of district insured vehicles must possess a valid Texas Driver's License and must be a member of an Upshur County ESD VFD or be an Upshur County ESD #1 board member and be listed as a driver under the Upshur County ESD #1 vehicle insurance policy.
2. Drivers of district insured vehicles exceeding 26,000 pounds GVWR must possess a Texas Class A, Class B, or Class B Exempt Driver's License. Drivers without a Class A, Class B, or Class B Exempt License may drive the vehicles ONLY during training in controlled settings with the prior approval of the Chief of the Department.
3. District Insured vehicles may not be operated by any member until that member is trained and authorized by a Department Officer through a program which meets the standards of our insurance carrier. This can be an online VFIS course, TEEX, SFFMA or an in-house policy and driving course. Check off rides will be performed with the prospective driver demonstrating thorough knowledge of operation of both the vehicle and the equipment in a controlled setting before operating the vehicle on open roadways. The Officer performing the check off ride will notify the Chief of the Department when the check off ride has been completed. A Vehicle proficiency test will be documented in the member's personnel file.
4. Drivers are encouraged not to drive department vehicles while wearing structural firefighting protective clothing or boots.
5. Drivers shall perform a 360 degree "walk around" of the vehicle each time before the vehicle is moved to identify obstacles or hazards and to ensure that the vehicle and all equipment is secured and ready for travel.
6. Vehicles shall not be moved when cab doors or compartment doors are open.
7. Vehicles shall not be moved while structural firefighting hose is deployed from the vehicle; hoses shall be depressurized and disconnected before moving, unless directed otherwise by a Chief Officer.

8. When hose reel or whip lines are deployed from the vehicle, the vehicle may be moved only when there is at least one attendant for each line deployed.
9. Drivers should enlist another member to assist as a “spotter” when backing the vehicle. The “spotter” should be used each time the vehicle is moved at an incident scene, especially off-road. Spotters shall check for obstacles and hazards and shall direct the driver through the safest route. While backing, the spotter shall be visualized by the driver from the driver’s left side rear-view mirror prior to moving.
10. Drivers will ensure that all passengers are seated and utilizing seat belts while the vehicle is in motion. No personnel shall ride in/on the beds, on tailboards/steps, or anywhere else outside of the cab of the vehicles during emergency operations.

EXCEPTION: Personnel may be authorized to stand in the gated wells of Brush trucks designed for that purpose to fight fire only when the vehicle is conducting fire suppression activity off-road and only when the vehicle is traveling at a maximum speed of 10 miles-per-hour or less, and any provided, safety restraints are worn.

11. Drivers shall not use cell phones while the vehicle is in motion, only passengers should be using electronic devices during vehicle operations. The passengers, especially front seat members should stay alert and assist the driver in identifying hazards.
12. Warning Lights and Sirens shall be used during emergency response. Drivers should not operate Radios, Warning Lights, or Sirens unless no other member is available.
13. During emergency response, drivers shall come to a complete stop at all intersections protected by stop signs and traffic lights, ensure that other vehicles are yielding, then proceed only when safe to do so. When maneuvering around vehicles stopped at an intersection, the emergency vehicle will pass to the left of the stopped vehicles only after all vehicles in the “oncoming” lane have stopped.
14. Vehicles responding to an emergency call should not exceed 10MPH over posted speed limits and only if conditions permit. At all times the operator must show due regard for the safety of all citizens.
14. Drivers shall come to a complete stop when encountering school buses displaying warning lights and loading or unloading passengers. Drivers shall observe school zone speed limits when in effect.
15. Passing of vehicles yielding to emergency vehicles on open roadways shall only be performed when safe to do so if the yielding vehicle has pulled to the right allowing the emergency vehicle the right of way.
16. Volunteer Fire Fighters often will respond to the station or a scene in their personal vehicle, as such, each member should always adhere to all motor vehicle laws applicable to personal vehicles. No member should treat their personal vehicle as an emergency response vehicle and personal vehicles should not be equipped with lights and sirens.

Alcohol/Drug Policy:

Department members shall not participate in any aspect of a Fire or Emergency Incident while under the influence of alcohol or drugs (illicit, prescription, or over the counter, which may impair ability to drive, operate machinery, or make critical decisions). It is recommended that members refrain from department activities within 8 hours of consuming alcohol. Activities include but are not limited to Fire and Emergency Incidents and Training. An Officer of the Department may have an individual removed from an activity if the Officer determines or suspects the individual is under the influence of alcohol or drugs and is potentially impaired. Alcohol shall not be permitted on the premises of the Fire Department. Any individual involved in an accident that causes measurable injury or damage to self, other people, apparatus, or property may be required to submit to a blood alcohol test and/or drug test. Members may at times be subject to random illicit drug testing by authorized department representatives. A drug test may also be ordered if two officers agree upon suspicion that such activities have taken place.

Accident / Injury / Illness / Exposure Treatment and Reporting Procedure

1. In the case of a motor vehicle accident with damage to property or person the following policy shall be followed:
 - a. The member or members will immediately check for potential injuries to all parties involved, both private and department persons. They should immediately notify appropriate resources needed and secure the scene to prevent further accidents or injuries.
 - b. Immediately notify the appropriate law enforcement agency as listed in this policy. Fleet accidents **shall be investigated by the Texas Department of Public Safety**, or if the accident is within a city jurisdiction, that local agency may choose to investigate and document the accident. Vehicles involved will remain on scene until advised to be moved by Law Enforcement. Members will refrain from speaking with other drivers until Law Enforcement has taken all statements.
 - c. The driver of the vehicle shall have a drug/alcohol test post-accident with the results sent to the Chief of their department. The officer will use the contracted testing agency for all drug and alcohol testing and these results will be shared with the ESD Commissioners. The member department will be responsible to pay for all drug and alcohol testing.
 - d. Notify the Chief of their department and that Chief shall notify a member of the ESD #1 Commissioners.
 - e. The person driving will provide a complete written report within 12 hours of the incident to their Chief and the Chief shall forward a copy of this to the ESD for record keeping and/or to complete the insurance claim or investigation. If there was another front seat passenger or a backer involved in the accident, they too shall provide an Independent written report of the same incident.
 - f. Very minor damage caused to a department vehicle or equipment during emergency operations, which is determined to be unpreventable, may be exempted from this reporting if the Chief of the department and a member of the ESD Board choose.
 - g. The Chief of the department will notify VFIS about the accident and coordinate all VFIS or adjuster meetings required during the investigation.

h. The Chief of the department will be responsible for notifying their workers comp carrier in the case of a member injury.

2. Any member suffering an injury or illness due to exposure to bloodborne pathogens, body fluids, potentially infectious, or toxic material shall notify the Chief or Officer-in-Charge immediately. Emergent patients shall be transported by Emergency Medical Services and treated at the most appropriate Emergency Room. Any individual involved in an Accident requiring medical treatment in an acute care facility may be required to submit to a blood alcohol test and/or drug test.

2. The attending EMS Provider, and/or the infection control officer at the receiving hospital will serve as the Infection Control Specialist for the incident.

***In the event of an Exposure or Accident the following procedure will be followed:**

Notify the Direct Officer, or Incident Commander that the incident has occurred.

Any immediate injuries need to be evaluated, treated and transported by EMS, or an available Officer if on-scene medic is not needed, to the most appropriate Emergency Room.

***Documentation such as Workman's Compensation/First Report of Injury will be completed by the Chief.**

***All injuries will also need to be documented on the Fire Report.**

***All non-emergency injuries or illness, including exposures, will be done at UT Health Pittsburg or Longview Regional Medical Center unless directed elsewhere by the Chief.**

3. The Chief or his/her designee shall complete the appropriate injury/illness or exposure reports and will initiate appropriate follow-up treatment, testing or other action.

4. The injured/exposed member shall be treated by a physician, approved by the department's Worker Compensation carrier.

5. The injured/exposed member shall keep the Chief informed about the status of the treatment.

6. A written "Return to Work" or "Fitness for Duty" statement from a physician may be required at the discretion of the Chief.

7. All reports shall be kept confidential and kept on file the length of time required by the retention laws of the State of Texas.