

Operating Guideline # 826

Responding in Privately Owned Vehicles

February 7, 2020



PURPOSE:

The purpose of this Operating Guideline is to provide direction to staff regarding the use of privately owned vehicles (POV's) in connection with Muskoka Lakes Fire Department duties.

ISSUE/RATIONALE:

Every day, volunteer firefighters across North America utilize their own cars and trucks when responding to fire stations (or incident scenes in some cases) in the service of their communities. Unfortunately, all too often responding firefighters are involved in collisions that result in serious injuries or deaths. It's critically important for all Muskoka Lakes firefighters to understand that when they are operating their own vehicles, that they have no special protections under the law. Firefighters must obey all "rules of the road" under Ontario's traffic laws and are not exempt from any of the laws that govern the use of seat belts, speed, traffic control devices and so on. Firefighters who elect to operate their own POV's during any response are entirely responsible (and accountable) for the operation of their POV's. This includes having the proper insurance and legal requirements to operate their vehicles.

GUIDELINE:

General

1. Privately Owned Vehicles (POV's) are not classified as "Emergency Vehicles" under the Ontario Highway Traffic Act (HTA) and therefore firefighters responding for calls for service shall comply with all of the requirements of the "HTA" including adherence to posted speed limits, the use of seatbelts and the observance of all intersection control devices (stop signs, traffic lights) etc. Drivers of POV's should always drive defensively - especially at intersections, while passing other traffic or roadway users, and maintaining allowable speeds including "advisory" speed signs at corners, construction sites and so on.
2. Complaints (verbal or written) received from members of the public or from police that allege inappropriate driving practices or use of the "Firefighters Green Light" will be investigated thoroughly. Where substantiated, such complaints will be cause for the implementation of the progressive disciplinary process resulting in sanctions up to and including termination.
3. Firefighters must assess vehicle suitability and readiness for use in responding. Proper care and maintenance of personal vehicles used to respond to emergencies by a firefighter is the responsibility of the firefighter.
4. During any response, firefighters must continually assess and adjust driving speed to that which is appropriate to the posted speed limit, traffic conditions, road conditions, driver's personal limitations, vehicle limitations and the urgency of the response to ensure safety is maintained. Firefighters should ensure that the desire to respond quickly does not affect the decision making process while responding to emergencies.

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5. Firefighters must recognize that fatigue and stress levels may affect judgment and performance. Physiological or cognitive changes can impair judgment as well. The use of some prescription drugs, illicit drugs and/or alcohol use while driving WILL affect (and may impair) the ability to drive. All staff must understand that a “zero tolerance” stance is in effect with respect to driving while impaired by alcohol or drugs. Firefighters must always be aware of the need to place safety above all else.

“Firefighters Green Light”

6. The “Firefighters Green Light” is a courtesy light and shall only be utilized by staff who have completed the necessary instructional material through the Training Division and who have received written approval from the Fire Chief for the use of the light. Use of these lights does not infer any special privilege for the operator of a POV and shall be restricted for use during a bona fide emergency. SEE ALSO “OG 513 – Green Light Response”.

7. Upon the receipt of an alarm/incident notification, firefighters shall respond to the fire station to staff appropriate response apparatus where it is most expeditious to do so. It is recognized that firefighters may be closer to the actual incident location and so firefighters are urged to exercise their best judgment in deciding whether to respond to the station, or directly to the incident site. It must be remembered that sufficient staff MUST respond to Stations in order that each responding apparatus be properly staffed with a minimum of two personnel. NOTE: At least one of these persons MUST be designated a driver/operator.

8. Where firefighters elect to respond in their POV directly to an incident scene, the following conditions apply:

- a. Fire fighters who respond to an incident scene in their own POV shall not park their vehicle directly on a highway (or shoulder of a highway) where the posted speed limit is 70Km/h or greater.
- b. Fire fighters shall park their POV in a private driveway or parking lot near, but past the incident scene if safe to do so, as to not interfere with fire department operations.
- c. Fire fighters arriving on scene shall turn off their flashing green light.
- d. Fire fighters donning PPE shall only do so in an area that is safe, well lit (if at night) and where possible, free from oncoming traffic and does not place the individual donning PPE in danger of being struck by a vehicle.

NOTE: Firefighters responding directly to the scene MUST ensure that they report in to the Incident Commander and/or Accountability Officer as soon as possible after arrival.

- e. It is expected that all fire fighters responding to the scene of an incident upon receipt of an alarm will do so with the understanding that they are representing Muskoka Lakes Fire Department.

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Drivers Abstract:

The Muskoka Lakes Fire Department conducts monthly checks of all staff drivers' licenses via the Ontario Ministry of Transportation. These "abstracts" are obtained at the department's expense and are used to identify the "status" (i.e. - licensed, suspended, prohibited, revoked, expired) of all personnel with respect to their authority to operate motor vehicles. Members who become aware of any change in their driver's license status are required to immediately notify the Fire Chief (i.e. – members who have their licenses suspended or revoked, even temporarily). In addition, the department monitors the status of "convictions" and members with a history of convictions that give rise to concern are subject to interview by the Fire Chief (or designate) and may be subject to sanctions as may be appropriate in the circumstances.

Proof of Valid Insurance:

The Compulsory Automobile Insurance Act requires that all motor vehicle operated in Ontario be covered by an appropriate insurance policy as prescribed, and the Muskoka Lakes Fire Department reserves the right to demand proof of valid vehicle insurance for any POV being operated by a firefighter.

DEFINITIONS:

Privately Owned Vehicle (POV) means any vehicle owned or operated by a firefighter that is used to respond to the fire station or to the scene of an emergency incident.

RESPONSIBILITY:

It is the responsibility of all firefighting staff to comply with the provisions of this Operating Guideline.

REFERENCES:

- The Highway Traffic Act
- The Compulsory Automobile Insurance Act
- OG 513 – Green Light Response
- OG 517 – Response on Closed Roads
- Public Fire Safety Guideline - PFSG 04-89-03