

<b>TOWNSHIP FIRE DEPARTMENT</b> <b>CHAPTER 1: ADMINISTRATIVE OPERATIONS</b>	
Part 2: Administrative Policies Subject: Motor Vehicle Operation Page 1 of 4 Effective Date: 09-01-93	Section: 1-2-1 Revised Date: 03-29-03

- 1.01 Purpose. To identify Department vehicle driving requirements.
- 1.02 Goal. To develop policy and procedure to promote the safety of the public and Department personnel and to eliminate losses due to accidents involving Department owned vehicles.
- 1.03 Members' Responsibility.
- A) All Fire Department personnel shall observe and obey all traffic laws while in the course of their duties for Township Fire Department, Inc. This rule shall cover personnel from the time they start to respond to an emergency, through the time they have returned to their personal lives, and it shall include their actions as drivers of any vehicles, regardless of the ownership of those vehicles.
- B) Although a member is not required to obtain a C.D.L. (Commercial Driver's License) State law does require him/her to follow the alcohol prohibitions that apply to all C.D.L. drivers. This is commonly referred to as "not a drop" and means the following:
- After January 1, 1991 Commercial Drivers cannot:
- 1) Possess any alcohol while on duty.
  - 2) Operate a Commercial Motor Vehicle (including Fire Department vehicles) within four (4) hours of consuming any alcohol.
  - 3) Have a measured blood alcohol concentration (B.A.C.) above zero while operating a commercial motor vehicle (including Fire Department vehicles).
- C) Any member who is involved in a motor vehicle accident while operating a Department - owned vehicle will be required to take the appropriate test to determine his/her alcohol concentration at the time of the accident. If the driver is unable to request the test, a Department officer or firefighter must request that the test be taken and the results documented and made available to the Department Chief.

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1.04 Drivers' License Information. Every active member and applicant must provide the Department with the following information:

- A) He/She must show the appropriate Department officer his/her Wisconsin drivers license and any commercial driver's license he/she might hold.
- B) He/she must consent to the Fire Department obtaining a printout of his/her driving record from the State.
- C) Any member who is convicted of any offense listed in Section 1.05 B below, shall immediately report that conviction to his/her station's Battalion Chief or the Chief Safety Officer.

1.05 Drivers' Safety Committee.

- A) The Department recognizes that, in most cases, members respond to emergencies using both Department vehicles and personal vehicles. Because the safety of the public and Department personnel require that all members be safe drivers, there is hereby-established Drivers' Safety Committees for each station. The Drivers' Safety Committee for each station shall consist of the Battalion Chief for that station, the Department Chief or his/her designee, and the Chief Safety Officer.
- B) In the event that any active firefighter or applicant has been convicted of any of the following offenses within the past five years, or in the event that any member is convicted of any of the following offenses in the future, the matter shall be referred to his/her station's Driver's Safety Committee. Said offenses include the following:
  - 1) Driving while under the influence of alcohol or drugs, or any related offense.
  - 2) Refusal to submit to alcohol/drug testing contrary to pertinent traffic laws.
  - 3) Reckless driving under Wisconsin Statutes Section 346.62 (1987-88 version, as amended or renumbered in the future).
  - 4) Hit and run, or failure to report an accident.

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- 5) Any combination of traffic convictions that results in the State Department of Transportation suspending or revoking the member's license for excessive accumulation of demerit points.
  - 6) Driving after revocation or suspension, or driving without a valid driver's license.
- C) As soon as possible after the Department is notified of any of the above convictions, the Driver's Safety Committee shall meet with the member or applicant to review the situation. The member or applicant shall cooperate with the Driver's Safety Committee. The member or applicant shall be required to give all requested information regarding circumstances surrounding the traffic violation(s), his/her compliance with any court orders arising from those convictions, and any other requested information relating to his/her abilities and propensities as a driver.
- D) At the conclusion of its meeting or meetings with the applicant or member, the Driver's Safety Committee shall make a written determination regarding the person's status as an applicant or member of the Fire Department. The Committee shall have the power to dismiss or suspend a person's membership or right to become a member, and it shall also have the right to impose reasonable conditions or restrictions on the person's continuing eligibility to be a member of the Department. Such conditions and restrictions include, but are not limited to, placing the person on an extended or new period of probation, a prohibition against the person driving Department vehicles and/or private vehicles within the course of his/her duties, conditions pertaining to the member's seeking professional treatment for any underlying problems, etc. The purpose of the action shall not be punitive in nature, but shall be aimed at ensuring the safety of the public and Fire Department personnel.
- E) The determination of the Driver's Safety Committee shall be effective immediately upon delivery of the written determination to the member. If the member disagrees with the determination, he/she may appeal the determination to the Board of Directors of Township Fire Department, Inc., by delivering a written request for review to either the President or Secretary of the Corporation within one week of receiving the written determination. Upon receipt of a request for review, the President or Secretary shall include the matter on the agenda for the next regularly scheduled Board of Directors meeting, unless the request is received less than one week before the next regularly scheduled Board of

Directors meeting.

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When the Board of Directors considers such an appeal, it shall give ample opportunity for the member or applicant to be heard, and it shall also consider all evidence and information provided to it from the Driver's Safety Committee. At the conclusion of its meeting regarding the appeal, the Board of Directors shall make its determination as to the disposition of the case.

- F) If no appeal is filed within one week of the Committee's delivery of its written determination to the applicant, the Committee's decision will become final, and no appeal may be taken. In the event of an appeal, the Board of Director's determination shall become final when it is made.
- G) In the event that the Department Chief, a Battalion Chief or the Safety Officer are convicted of any of the offenses listed above, the president of Township Fire Department, Inc. shall appoint a substitute for that member to serve on the Committee reviewing his/her case.

1.06 Insurance Company's Orders.

In the event that the Department's insurance carrier directs that a member be ordered to not operate Department vehicles, the Fire Chief shall send that member a letter ordering him/her not to operate Department vehicles. Such an order shall remain in effect until it is either removed by the Board of Directors upon an appeal, or the insurance carrier rescinds its directive.