



DRIVERS & APPARATUS OPERATORS IN THE FIRE SERVICE

SDAO's risk management department receives several questions a year about when individuals are allowed to drive fire apparatus. While the coverage provided by the SDIS trust only requires the district to follow laws and regulations to have coverage, the risk management department believes there are best practices that will firstly reduce the likelihood of severe incident and secondly provide a solid defense when an incident occurs. These best practices are laid out as follows and are based upon federal and state laws and regulations:

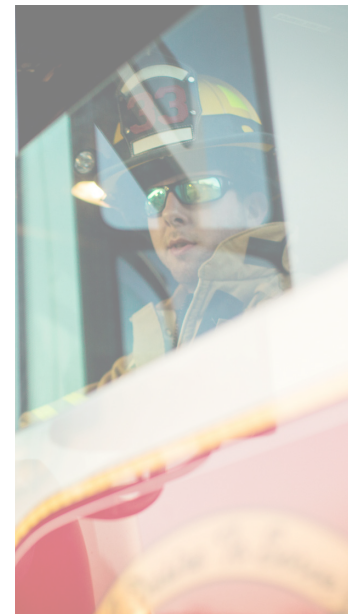
1. Individuals must be licensed drivers with a driving record that is acceptable under the district's adopted policy and guidelines.
2. Individuals must be adequately trained to perform the tasks assigned to them under their position description.
3. Individuals must be adequately evaluated while performing the tasks assigned to them.

So, what do these three best practices mean in real life? SDAO's risk management team, HR consultants, and consulting services can assist your district in developing a comprehensive driver training program.

LICENSED DRIVERS WITH ACCEPTABLE DRIVING RECORDS

In Oregon, anyone with a Class C driver's license can legally drive fire department vehicles. This includes everything from a \$40,000 staff car to a \$2 million ladder truck. That means even a 16-year-old with a license could be behind the wheel. However, Oregon's Bureau of Labor and Industries (BOLI) has child labor laws that limit what youth can do at work, including driving. So, while it may be legal under DMV rules, it might not be allowed under labor laws. This raises an important question: does a 16-year-old have the skills and judgment to drive such complex vehicles in emergencies? Risk managers say no.

The second part of this point is that the driver must have an acceptable driving record. The district must determine what level of risk tolerance it has to implement driving record standards. Many districts use a point system to assign values to certain infractions, such as speeding or driving recklessly. This will create a point value that determines fitness to drive. Certain infractions have point values that disqualify the individual from driving, while others will not unless they add up to cross the threshold.



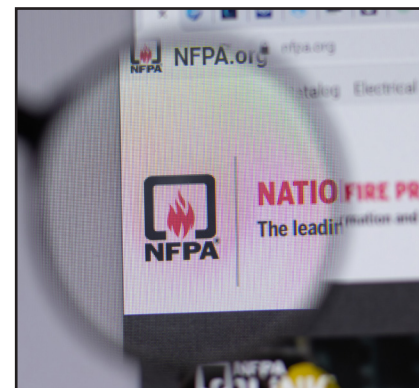
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ADEQUATE TRAINING FOR ASSIGNED TASKS

This point is derived from Oregon OSHA's rules for firefighters. OAR 437-002-0182(11) requires a fire district to determine what training is required to accomplish the tasks an individual firefighter, support staff, or other employee or volunteer is assigned. This is a performance standard and places the burden on the fire district to make an appropriate decision about what you are using to train your staff. The easiest answer is to follow an accepted standard such as NFPA or IFSTA. These will be the measure any other training will be judged by. Within the NFPA, for example, there are specific training topics as well as task performance tests.

Additionally, there are timeframes of required experience before you are allowed to move to the next certification level. This is meant to make the process more deliberate. DPSST allows for training to be considered after 16 years of age but will not certify an individual until they turn 18.



ADEQUATE EVALUATION OF TASK PERFORMANCE

All individuals employed or volunteering for a fire district should be evaluated to determine their fitness for duty based on the tasks they are assigned. One way of doing this is to evaluate them while performing tasks both in a training scenario and in real-world situations. This allows the district management to evaluate two critical areas: does the individual possess the knowledge, skills, and abilities to perform the assigned tasks, and does the individual possess the temperament to perform the assigned tasks without increasing risk. Both are important to ensure that the necessary risks taken by public safety staff are managed appropriately and with an attitude that will reasonably control them.

For more information or assistance on this or other topics, please contact SDAO's Risk Management Team or your assigned Risk Management Consultant. Their contact details can be found in the SDIS Insurance Portal.

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