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## Dave Snyder

Who I am:	Who I am not:
<ul style="list-style-type: none"> <li>Assistant Fire Chief</li> <li>Retired EMS Chief</li> <li>Past Fire Captain</li> <li>Past EMS Captain</li> <li>Educator &amp; Speaker</li> <li>Risk Management Program Specialist - ESIP</li> </ul>	<ul style="list-style-type: none"> <li>The guy who claims to know it all</li> <li>Licensed insurance broker</li> <li>Insurance salesperson</li> <li>Lawyer</li> </ul>

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## DISCLAIMER



We will discuss current “Best Practices”

Laws can vary from state to state

Be familiar with your local laws and policies

**Remember: Just because the law allows you to run Red Lights and Sirens, it doesn't mean you have to all ways do it!**

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## True Emergency

### Definition: True Emergency



a situation in which there is a high probability of death or serious injury to an individual(s) or significant property loss and actions by the emergency vehicle driver may reduce the seriousness of the situations.

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## Definitions:

### Emergency Mode:

utilizes warning lights and siren during a response to a true emergency.



Specific exemption in the state statute refers to an EV only when operating in the emergency mode



Even when specific exemption is made, you may be held criminally/civilly liable for your actions if you do not exercise due regard for the safety of others.

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## Definitions:

### Due regard:

while performing similar duties and under similar circumstances, a reasonably careful person would act in the same manner.



The fire service has a duty to respond with due regard for the safety of others.

Requires education, training & evaluation to prevent

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## Specific Exemption

**Specific exemption** is a statement in your state statute giving the EV operator certain privileges as set forth in the law not ordinarily permitted.


They ALWAYS contain a clause providing for the safety of other motorists.

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## What Caused This Accident?



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## BEWARE WHEN OVER-TAKING

**It Happens ALL THE TIME:**

- Vehicle appears to be slowing down to yield, but doesn't
- May or may not be using a turn signal
- Probably not paying attention even if they could hear your siren
- ***Turns left right in front of you - CRASH***

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**You're Sharing the Road with These People**



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## 16 FIREFIGHTER LIFE SAFETY INITIATIVES

In March of 2004 at a Firefighter Safety Summit in Tampa, FL. the National Fallen Firefighters Foundation was tasked with promulgating the Initiatives throughout the fire service and developing material to support their implementation.

The 16 Firefighter Life Safety Initiatives were jointly developed by representatives of the major fire service constituencies

Since then, the Initiatives have deeply formed the emerging safety culture in the US fire service and become the bedrock foundation for thousands of fire departments and EMS organizations who have a desire to ensure that their firefighters and medics return home safely after every shift.

***The goal of the U.S. Fire Administration is reducing the number of preventable firefighter fatalities and injuries.***

***This also needs to be the goal of everyone here today!***

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Of the 16 Initiatives here are 8 segments which directly apply to this discussion.



**Cultural Change**



**Medical & Physical Fitness**



**Training & Certification**



**Accountability**



**Risk Management**



**Response Policies**



**Empowerment**



**Apparatus Safety**

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## Driving Emergency Vehicles is Challenging



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## Who Do We Want To Blame?

### **"Don't they know we are on the way to an emergency?"**

- Are We?
- What percent of your calls are True Emergencies?

### **"The law gives us the right of way"**

- Does it?
- Right of way can only be given, not taken.

### **"Every second counts in an emergency"**

- What other time savings measures have you implemented?
- How much time are you really saving?

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# Whose Side Are You On?



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## It Starts with YOU!

**“Control what you own, and  
Own what you can Control”**

- I can't control other drivers
- I can't control the current legal climate
- I can't control the perception of others

**I can control my actions as an  
emergency vehicle operator**



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## Which Culture Best Represents Your Organization?

### Offensive Driving

- Getting there fast
- Taking chances
- Forcing right-of-way
- Excessive siren use
- Reacting to other drivers
- Aggressive maneuvers

### Defensive Driving

- Getting there safe
- Reducing risks
- Receiving right-of-way
- Proper siren and air horn use
- Expecting unpredicted actions
- Calculated tactics

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## Use Data, Not Emotions

**"If we don't get there quick, people are going to die."**

**"EMS response times are a critical matter of morbidity and mortality."**

**"If we don't run hot, we can get sued. The NFPA requires it."**

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## Fire Department Vehicle Collisions and Resulting Fire Fighter Injuries While Responding to or Returning from Incidents: 1990 - 2022

Year	Involving Fire Department Emergency Vehicles		Involving Firefighters' Personal Vehicles	
	Collisions	Firefighter Injuries	Collisions	Firefighter Injuries
1990	11,325	1,300	950	175
1991	12,125	1,075	1,375	125
1992	11,500	1,050	1,575	150
1993	12,250	900	1,675	200
1994	13,755	1,035	1,610	285
1995	14,670	950	1,690	190
1996	14,200	910	1,400	240
1997	14,950	1,350	1,300	180
1998	14,650	1,050	1,350	315
1999	15,450	875	1,080	90
2000	15,300	990	1,160	170
2001	14,900	960	1,325	140
2002	15,550	1,040	1,030	210
2003	15,900	850	980	85
2004	15,420	980	1,150	220
2005	15,885	1,120	1,080	125
2006	16,020	1,250	1,070	210
2007	14,650	915	665	120
2008	14,950	670	1,000	70
2009	15,100	820	870	100
2010	14,200	775	1,000	75
2011	14,850	970	790	190

Year	Involving Fire Department Emergency Vehicles		Involving Firefighters' Personal Vehicles	
	Collisions	Firefighter Injuries	Collisions	Firefighter Injuries
2012	14,300	725	750	70
2013	12,350	730	830	185
2014	14,910	550	620	90
2015	16,600	1,150	700	50
2016	15,430	700	850	175
2017	15,425	1,005	795	75
2018	14,425	575	700	50
2019	15,350	575	800	10
2020	15,675	550	725	200
2021	18,775	600	550	200
2022	20,300	800	950	250

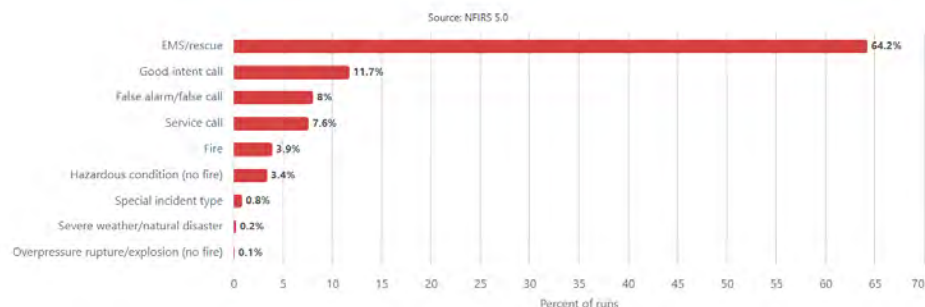
Source: NFPA survey of fire departments for US fire experience (1980–2022)

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## The Rest of the Story

About **6%** of 911 patients have time-sensitive needs. **94%** don't have a clinical time-dependent issue, but they are still expecting rapid customer service.

**In 2020 there were 26,959,000 incident runs, only 4% were fire related.**



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## We Have a Response Policy Problem

**We are killing people while claiming to be protecting and saving others**

- Response policies are outdated
- Agency policies are not being followed
- Operators have a wild west cowboy attitude
- Many agencies are still responding hot to all calls
- We make every call a “True Emergency” based on “What If”

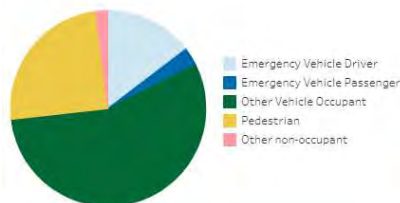
**If we don't fix this problem, others are going to step in and fix it for us**

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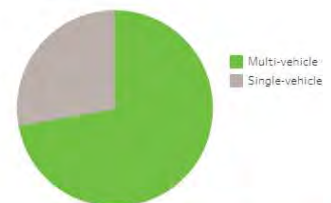
## Deaths In Crashes Involving Emergency Vehicles

- In 2021, 198 people died in crashes involving emergency vehicles.
- Most of **these deaths** were **occupants of non-emergency vehicles** (56%)
- Also, **Pedestrian deaths** accounted for another 25%
- Emergency vehicle drivers represented 15% and emergency vehicle passengers accounted for about 3% of the deaths

Person Type



Crash Type



[injuryfacts.nsc.org](https://injuryfacts.nsc.org)

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**nsc**

**Three Civilian Deaths for Every Responder Death!**

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## Costs and Timelines



- Emergency vehicle accidents in the U.S. cost \$35 billion dollars annually
- In 2021, an estimated 18,775 collisions involved fire department emergency vehicles responding to or returning from incidents
- Replacements

Is your agency ready?

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## Fire Apparatus Prices Soaring

- 7 – 8% Increases per quarter
- Lead times are out 3 – 4 years
- Parts and Repairs with limited availability
- \$693,000 Engine was \$910,000 4 months later
- New laws on engine emissions
- Electric Vehicles

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## Additional Costs: Medical Bills

Emergency Treatment/Ambulance Services	\$300-\$1,500
ER Costs (physician fees, supplies, staff)	\$1,000 or more
Diagnostic Testing (x-rays, CT scans)	\$500 or more
Hospitalization (average 3-day stay)	\$30,000
Medication	\$200 or more

### Spinal Cord Injuries

High Quadriplegia Diagnosis	\$1,000,000 or more
Low Quadriplegia Diagnosis	\$769,000
Paraplegia Diagnosis	\$518,000



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## How Car Accident Settlements Are Calculated?



- Medical bills
- Lost wages
- Pain and suffering
- Emotional distress
- Property damage

**The availability of insurance coverage for poor performing first response agencies is becoming a concern**

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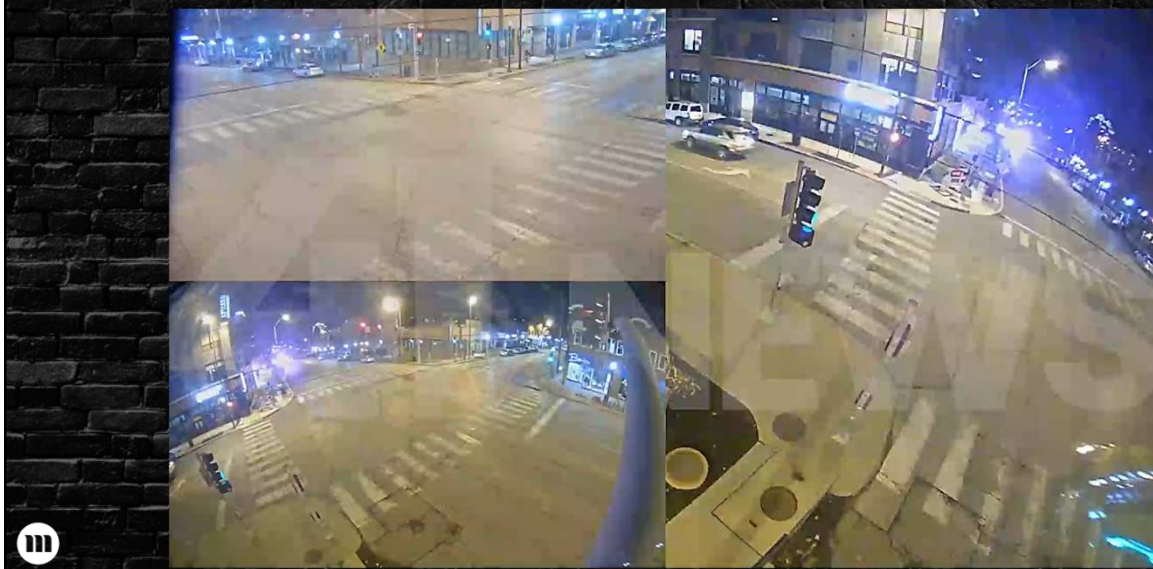
## Kansas City, MO – December 15, 2021



- Pumper was speeding: 51 mph in a 35 mph zone **PREVENTABLE**
- Ran a red light **PREVENTABLE**
- Crashed into a car (occupied by 2)
- Knocking a pedestrian into a building
- Building collapsed about a minute later
- Killed 3 people
- No firefighters were seriously injured

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## Kansas City Firetruck Collision



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## Pumper Was Canceled Enroute

- Pumper 19 was responding to a possible weather-related fire when it was called off and another firetruck, Pumper 18, took the call
- Persisted with lights and sirens, they (19) continued, running a red light

**Claimed they did not hear the cancel order**

**Pumper 18:**

"Dispatch, do you want 18 to make that house fire"

**Dispatch:**

"Pumper 18, I will show you on the call"

"Pumper 19 stand down. Pumper 19 stand down, remain in quarters."

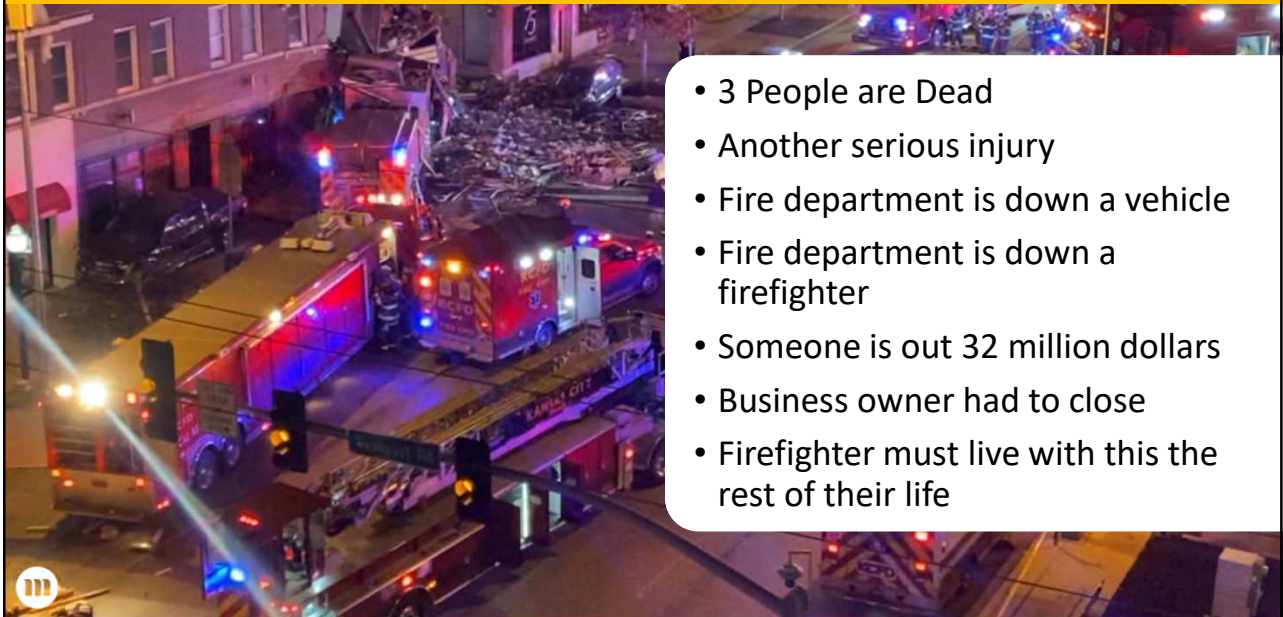
**Pumper 19:**

"Dispatch, we (19) are involved in an accident."



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## Who Is Affected From This Firefighters Poor Decision ?



- 3 People are Dead
- Another serious injury
- Fire department is down a vehicle
- Fire department is down a firefighter
- Someone is out 32 million dollars
- Business owner had to close
- Firefighter must live with this the rest of their life



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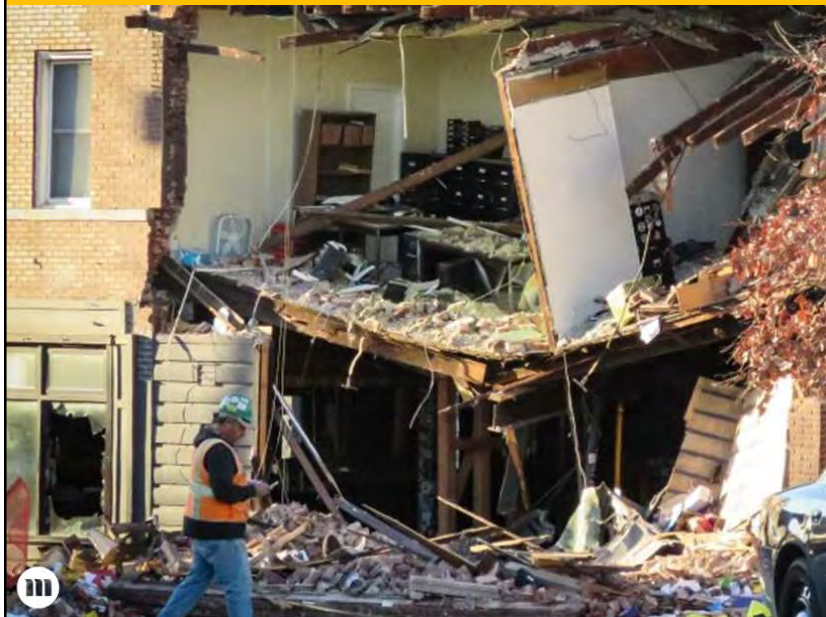
## Previous Red Flags

*"I went home in physical and mental pain because of my shift yesterday. I will not be getting into another ambulance with [Biscari] ever again. Please something needs to be done. Not only for the safety of other personnel and other citizens but he is tearing up a brand-new ambulance."*



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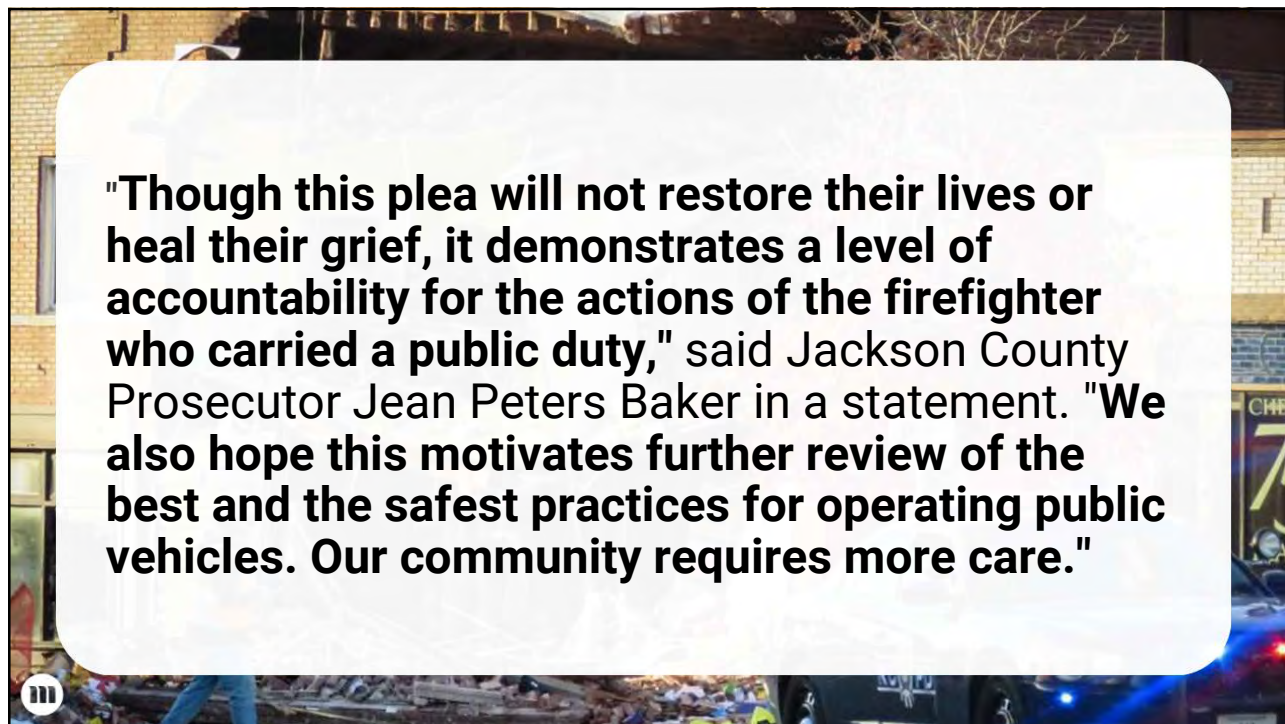
## Can You Live With This?



KCFD Engine driver Dominic Biscari pleads guilty to manslaughter for killing 3 people in Westport crash.

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## Firefighter suspended 96 hours after crash



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## When Should The Light Bulb Click On & Say, “We Have An Issue Here!”

*3<sup>rd</sup> Accident At The  
Same Intersection  
In 3 Years*



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# Insanity

“ Doing the same thing  
over and over again and  
expecting different  
results.”

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## Where Do Accidents Occur?

- Intersections
- Open Roadways
- Backing Accidents

- Each is easy to prevent
- Most of the proper policies and procedures are in place
- We cannot continue to ignore preventative measures

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## What Vehicles Are Involved?

### POV

- Do we train for emergency or "courtesy" light use?
- Do you have a policy for POV response?

### SUV

- Command / Chief Vehicles / Fly Cars (Medic)

### Apparatus

Not all accidents involve emergency response



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## What Complicates This Even More

Vehicle & Traffic Law

National Standards

Organizational Policies

Organizational SOP's/SOG's/BOP's

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## Policy and Guidelines

- Are not to be written once and forgotten, they must be understood and used by all members
- Clear
- Concise
- Legal
- Monitored
- Enforced

*\* Organizational guidelines will most likely be subpoenaed in the event of an accident, and an unfavorable outcome may occur if the intent of the policy is not met.*

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## Legal Protections Are Limited

### Relief from Civil liability and liability of districts

- Protections for “line of duty actions”
- “Willful Negligence and Malfeasance” **disqualify** relief from liability

### Defense and Indemnification:

- Public entity must defend a volunteer when conditions met
- **Same disqualification** for willful negligence and malfeasance

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## Willful Negligence

“Willful negligence, also known as reckless or wanton negligence, describes negligent acts where the defendant disregards the risks of their actions and is aware (or should be aware) of the possible impacts. Defendants in these cases are often deliberately dismissive of another person’s safety, health, or welfare.”

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## Heavy Vehicles Equal Heavy Responsibility

- Due Regard is important because fire apparatus are lethal
- Fire apparatus are relatively unstable when compared with passenger cars and light trucks
- Significant change in vehicle dynamics and driving tactics
- Failure risks disaster

NFPA 1901, Standard for Automotive Fire Apparatus



*Most passenger vehicles are lower in height compared to most fire apparatus*


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## What Can the Driver of an Emergency Vehicle do?

### Authorized emergency vehicles.

- (a) The driver of an authorized emergency vehicle, when involved in an emergency operation, may exercise the privileges set forth in this section, but subject to the condition herein stated.
- (b) The driver of an authorized emergency vehicle may:
1. Stop, stand or park irrespective of the provisions of this title;
  2. Proceed past a steady red signal, a flashing red signal or a stop sign, **but only after slowing down as may be necessary for safe operation**
  3. Exceed the maximum speed limits **so long as he does not endanger life or property**
  4. Disregard regulations governing directions of movement or turning in specified directions.


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# 1500

## Chapter 6


### Emergency Vehicles Must Stop For:




Directed by a Law Enforcement Officer




Red Traffic Lights



Stop Signs



Negative Right of Way Intersections



Blind Intersections

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# 1500

## Chapter 6



When other intersection hazards are present

Cannot account for all lanes of traffic in an intersection.



When encountering a stopped school bus with flashing warning lights.

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# 1500

## Chapter 6

### 6.2.9:

- Drivers shall proceed through intersections only when the driver can account for all lanes of traffic in the intersection.
- Eye contact should be made with each driver.
- Emergency vehicle drivers cannot assume or force the right-of-way; it must be given.

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## Do You Want to be the Next Test Case?

SUPREME COURT OF YOUR STATE - YOUR COUNTY

MRS. JANE SMITH

v.

YOUR FIRE DISTRICT, and  
YOUR FIRE DEPARTMENT,

and

INSERT YOUR NAME HERE

JULY TERM, 2024  
NO. 1804

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## When Lawsuits are Filed

*“Even if you win the case, the effects of such a battle will have a long-lasting impact on yourself, your department and the community you are there to protect”*

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## True Emergency

**Not every call we get is a true emergency. Ask yourself:**

- ☐ Structure fire
- ☐ Chest pains – difficulty breathing
- ☐ Wires down
- ☐ Flooded basement
- ☐ CO Alarm
- ☐ Automatic alarm

**Not every call requires all the trucks we send.**

- ✓ Limit response vehicles
- ✓ Send first vehicle emergent then the rest non-emergent

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## "On the Quiet Response"

Hot, Warm, Cold Response  
Priority vs. Non-Priority  
Code 3 vs. Code 2 vs. Code 1  
Alpha, Bravo, Charlie, Delta, Echo

**"The mission of the fire department is to protect lives and save property. We cannot do that having accidents enroute to emergency calls. And having vehicle accidents responding to trivial and non-threatening situations does not make sense either."**

St. Louis Fire Chief Neil J. Svetanics

### Who's Got It?

1996 – St. Louis, MO (St. Louis FD)  
2000 – Salt Lake City, UT (Salt Lake City FD)  
Hot, Cold Policy  
2004 – Virginia Beach, VA (Virginia Beach FD)  
Priority Dispatch Policy  
2004 – Phoenix, AZ (Phoenix FD)  
Code 2 vs Code 3 (Low vs High)  
2005 – Anne Arundel County, MD  
Hot, Warm, Cold Policy  
2007 – Rowlett, TX (City of Rowlett Fire & Rescue)  
2009 – Fort Lupton, CO (Fort Lupton FPD)  
2010 – Aurora, OH (Aurora FD)  
2010 – FDNY (Queens)  
"Modified Response"  
2018 – Detroit, MI (Detroit FD)  
"Go Easy" policy (Code 1, 2,) mirrored Detroit EMS program from '90's

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## "On the Quiet Response" Results

Reports show, it only saves **45 seconds** responding lights and sirens to emergencies

- Number and severity of crashes involving emergency vehicles have declined in the past few years
- It's not in DUE REGARD for the public's safety to run lights and sirens if it wasn't going to benefit the patient or incident outcome.

### Additional Benefits:

Several thousand-dollar loss accidents are now only nickel and dime.  
But more importantly, no one has been severely injured or killed

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## How can We Do it?

### **Information is Power:**

- Work with PSAP and dispatch to improve dispatch information quality
- Understand and utilize priority dispatch codes when provided
- Implement your own priority responses based on quality dispatch info

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## What is our goal?

Our everyday goal is for the:

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## Our Best Practices Are:

- Limit use of red lights and sirens to actual true emergencies
- Come to a complete stop at all negative control intersections
- Clear each lane of an intersection before crossing
- Allow other motorists time to yield to you
- Best practices for driving Emergency Vehicles
  - Use a Priority Dispatch system to determine call priority
  - Prepare the crew before each response
  - Avoid the use of lights and sirens when not necessary



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## Getting Started

- Be fit for duty
- 360 walk around of vehicle
- Everyone seated and belted
- Sterile Cockpit
- Defensive Driving
- Right of way can only be given, not taken



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# Speed Kills

- Safe speeds for larger vehicles
- Stopping Distance
- Curves and turning
- Weather Conditions



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## The Benefits to You are:

- The safety of you and your crew
- Trucks stay in service
- You stay out of jail
- Reduction of personal financial risk
- Maintain positive public perceptions and credibility
- The ability to continue to protect your community
- Manageable insurance rates for your organization

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## The Call-to-Action Today is Real!

### Fire Apparatus Crash Reduction

August 8, 2024 | Greg Rogers

Fire apparatus crashes are a big problem in the fire service. As each year passes, we see a trend of increasing incidents resulting in property damage, injuries and deaths. Each state has laws regulating emergency vehicle operations, and nationally accepted standards lay out requirements for driver training and apparatus safety.

And still, we have crashes. We really need to stop crashing fire trucks!

In this series, we'll review apparatus crashes, look at related injuries and deaths, and explore prevention measures. We'll examine policy development and enforcement, training program components, and how fire service culture relates to apparatus crashes. Finally, we'll provide recommendations to improve safety within your agency while providing an effective and efficient service to your community.

#### Fire Apparatus Crash Data

Statistics compiled by the U.S. Fire Administration show about 27% of firefighter line-of-duty deaths (LODDs) are vehicle-related. Sadly, many of these were preventable. In the fire service, we tend to have an inward focus when it comes to injuries and deaths. We are inherently aware of the dangers we face – and we take them seriously – but our lives aren't the only ones at risk on the road.

When we turn the focus outward, we see that fire apparatus crashes kill civilians more often than they kill firefighters. Data collected by the National Safety Council (NSC) show 67% of fire apparatus crash-related fatalities were occupants of other vehicles and 14.5% were pedestrians, bicyclists or others outside of vehicles. In contrast, occupants of fire apparatus accounted for 20% of fatalities, so firefighters are four times more likely to kill citizens with their trucks than they are to kill themselves or other firefighters.

In a business where our mission is to save lives and property, this irony is troubling. There are few things firefighters do that put the public at risk, but responding to calls is one of them.



For the full article, scan the QR code below



SCAN ME

It's Time to Change our Culture

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## The Industry Does Not Support 100% Lights & Sirens

- “L&S pose a significant risk to...EMS practitioners and the public. Therefore, should only be used...when is anticipated to be clinically important to patient outcome.”
- “Responding emergency agencies should use response based EMD categories and other local policies to identify the situations where L&S response or transport are clinically significant.”
- “The EMS agency physician medical director and QA programs must be engaged in developing these agency operational policies/guidelines.”
- “In most settings, L&S response or transport saves less than a few minutes during an emergency medical response, and there are few time-sensitive medical emergencies where an immediate intervention or treatment in those minutes is lifesaving.”

“Joint Statement on Lights and Sirens Vehicle Operations on EMS Responses”, American Ambulance Association, January 2022

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### Who Says So?

The collage features logos from the following organizations:

- Paramedic Chiefs of Canada / Chefs Paramédics du Canada
- NATIONAL EMS MANAGEMENT ASSOCIATION
- AMERICAN AMBULANCE ASSOCIATION
- NAEMT
- AIMHI
- NEMSQA (National EMS Quality Alliance)
- NAEMSO
- International Association of Emergency Medical Services Chiefs
- NAEMSP
- INTERNATIONAL FIRE CHIEFS ASSOCIATION
- American College of Emergency Physicians® (ADVANCING EMERGENCY CARE)
- IAED (International Academies of Emergency Dispatch)
- NVFC (National Volunteer Fire Council: FIRE • EMS • RESCUE)
- Center for Patient Safety

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 607-428-2147

**Beyond the Sirens**

Please scan the QR code to the right & take a few minutes to fill out a brief survey about our class! Thank you for your participation.

**We want to know how we did!**



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