

SEP 5 2006

REVISED 8/30/06



DEPARTMENT

WILLIAM R. BAMATTRE
FIRE CHIEF

August 28, 2006



TO: The Honorable Board of Fire Commissioners
City of Los Angeles

FROM: William R. Bamattre, Fire Chief

SUBJECT: **EMPLOYEE RESPONSE TO THE LOS ANGELES FIRE DEPARTMENT
(LAFD) EMERGENCY VEHICLE OPERATING PROCEDURES**

DISCUSSION

On August 1, 2006, during a regularly scheduled meeting of the Board of Fire Commissioners, the LAFD was directed by the Fire Commission to initiate a Department wide communication process to insure all members were afforded the opportunity to offer Administration their input, feedback, and/or recommendations regarding proposed policy changes contained in the revised LAFD Emergency Vehicle Operating Procedures.

On August 2, 2006, a "Special Notice" (LAFD Emergency Operating Procedures) was transmitted to all Department work locations, via Teletype and "E-COMM", soliciting the membership for feedback requested by the Fire Commission. A follow-up transmittal was generated on August 16, 2006, which appropriately extended the time period and outlined several alternative methods for members wishing to submit a response (Exhibits 1A & 1B).

To date, the number of responses from field personnel to this latest survey totals eighteen, which may perhaps be interpreted as light. Nonetheless, this should not be construed as indifference or a lack of willingness on the part of personnel to become involved. Although contributing factors to a low response may vary, the emphasis, at this point, should be placed on the assessment and substantive value of the information received (Exhibit 2).

Predominantly, the common concern in comments received from the field surround issues related to restrictions imposed on response speed relative to that of the posted speed limit. In general, the belief is that limiting apparatus speed to the posted speed limit will increase the "failure to yield" rate by the public, increase Department liability, and compromise response time.

As one responding station correctly concluded, "speed is the single biggest factor in determining the outcome of a traffic collision." In fact, limiting response to the posted speed limit conforms to progressive fire service recommendations, reduces potential for catastrophic accidents, statistically demonstrates no appreciable increase in response time and, most notably, eliminates subjective interpretation of "reasonable" speed by providing a more defined, consistent and enforceable policy while reducing overall (City and personal) liability and enhancing safety.

The remaining comments, questions and/or recommendations primarily support policy or request clarification relative to procedural aspects involving; intersection and opposing traffic speed, stopping at lights and intersections, apparatus placement, convoy configurations, passing civilian vehicles, as well as enhancing driver training and public service announcement campaigns.

Specifically developed to address these and other anticipated questions, the Emergency Vehicle Operating Procedures Implementation Plan incorporates comprehensive training for every member and supervisor to insure a thorough working knowledge and understanding of all measures and components contained within the new policy.

Additionally, included for review are comments from a Department request for chief officer input, conducted subsequent to the first draft of the proposed driving policy, the April 16, 2006, "LAFD Emergency Vehicle Operating Procedures" draft document, and 2001-05 LAFD accident statistics (Exhibits 3, 4 & 5).

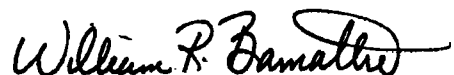
CONCLUSION

The Department would like to publicly express its appreciation and acknowledge those members who either individually, or collectively, as a group or station, participated in this collaborative process in addition to every other member who made a contribution through alternative means or methods.

Through the cooperative efforts of dedicated personnel, the Department is in the final phase of a three-phase process to implement new LAFD Emergency Vehicle Operating Procedures following an extensive public service announcement campaign and multi-level training program for all members.

The success of the final phase begins with strong leadership, a combined commitment to safety and a cultural change predicated on the recognition that the Los Angeles Fire Department cannot achieve its mission to save lives and property at an incident unless we first arrive safely on scene.

Respectfully submitted,

A handwritten signature in black ink, reading "William R. Bamattre". The signature is fluid and cursive, with the first name "William" and last name "Bamattre" clearly legible.

WILLIAM R. BAMATTRE
Fire Chief

Attachments

Exhibit 1A

Los Angeles Fire Department

AUGUST 16, 2006

SPECIAL NOTICE

SUBJECT: NEW LAFD DRIVING POLICY INPUT

THE DEPARTMENT IS CONTINUING TO SOLICIT INPUT, FEEDBACK OR GENERAL COMMENTS FROM ANY DEPARTMENT MEMBER RELATIVE TO THE CONTENT OF THE NEW LAFD EMERGENCY VEHICLE OPERATING PROCEDURES (LAFD DRIVING POLICY).

A DRAFT COPY OF THE NEW LAFD DRIVING POLICY MAY BE REVIEWED BY OPENING THE ACCOMPANYING E-COMM SPECIAL NOTICE.

THERE ARE THREE WAYS TO PROVIDE YOUR COMMENTS RELATIVE TO THE NEW DRIVING POLICY.

- 1) YOU MAY SUBMIT YOUR COMMENTS DIRECTLY TO THE DEPARTMENT VIA E-MAIL TO lafdplanning@lacity.org BY AUGUST 28, 2006,
- 2) YOU MAY FORWARD YOUR COMMENTS TO YOUR RESPECTIVE EMPLOYEE ORGANIZATION, AND
- 3) YOU MAY PROVIDE YOUR COMMENTS, IN PERSON, DIRECTLY TO THE BOARD OF FIRE COMMISSIONERS AT THEIR NEXT PUBLIC MEETING ON TUESDAY, SEPTEMBER 5, 2006, AT 1500 HOURS AT FIRE DEPARTMENT HEADQUARTERS, 200 N. MAIN STREET, ROOM 1820.

QUESTIONS REGARDING INFORMATION CONTAINED IN THIS NOTICE SHOULD BE DIRECTED TO THE PLANNING SECTION AT (213) 978-3845.

ADMINISTRATION

Exhibit 1B

Los Angeles Fire Department

AUGUST 2, 2006

SPECIAL NOTICE

SUBJECT: LAFD EMERGENCY VEHICLE OPERATING PROCEDURES

THE LOS ANGELES FIRE DEPARTMENT (LAFD) IS COMMITTED TO PROVIDING THE CITIZENS OF LOS ANGELES WITH THE FINEST FIRE AND EMERGENCY MEDICAL SERVICES AVAILABLE. UNDOUBTEDLY, ONE OF THE MOST SIGNIFICANT WAYS OUR SERVICE POSITIVELY IMPACTS THE COMMUNITY IS THROUGH THE SAFE, TIMELY AND APPROPRIATE RESPONSE OF DEPARTMENT RESOURCES TO AN EMERGENCY INCIDENT.

DRIVING AND OPERATING DEPARTMENT VEHICLES DURING EMERGENCY RESPONSE IS AN INHERENT RISK TO THE FIRE SERVICE AND COMMUNITY ALIKE. NONETHELESS, THE HIGHEST PRIORITY OF THE LAFD IS TO ENSURE PUBLIC SAFETY WHILE PROVIDING THE SAFEST WORKING ENVIRONMENT POSSIBLE FOR EVERY LAFD EMPLOYEE.

FOR THAT REASON, A MORE COMPREHENSIVE LAFD EMERGENCY DRIVING POLICY WAS DEVELOPED, WHICH INCORPORATES NATIONAL FIRE SERVICE RECOMMENDATIONS AND REFLECTS ESTABLISHED PROCEDURES AND MEASURES FOR REDUCING THE RISKS ASSOCIATED WITH EMERGENCY RESPONSE.

THE EXPERIENCE LEVEL OF CURRENT, FORMER AND ASPIRING LAFD DRIVERS/OPERATORS IS UNPARALLELED IN THE FIELD OF PUBLIC SAFETY AND RECOGNIZED BY THE DEPARTMENT AS A VITAL COMPONENT TO THE IMPLEMENTATION OF THE NEW LAFD DRIVING POLICY.

TO THAT END, THE DEPARTMENT IS SOLICITING INPUT, FEEDBACK OR GENERAL COMMENTS FROM INTERESTED MEMBERS RELATIVE TO THE CONTENT OF THE NEW LAFD EMERGENCY OPERATING PROCEDURES. STATION COMMANDERS ARE DIRECTED TO REVIEW THE DRAFT **"LAFD EMERGENCY VEHICLE OPERATING PROCEDURES"** ATTACHED ON "E-COMM" WITH ALL MEMBERS OF THEIR COMMAND.

MEMBERS ARE ENCOURAGED TO RESPOND BY SUBMITTING A BRIEF CORRESPONDENCE VIA E-MAIL TO lafdplanning@lacity.org BY AUGUST 14, 2006. QUESTIONS REGARDING INFORMATION CONTAINED IN THIS NOTICE SHOULD BE DIRECTED TO THE PLANNING SECTION AT (213) 978-3845.

ADMINISTRATION

EXHIBIT 2

Los Angeles Fire Department Members E-Mail Input

E-Mail #1

Sirs,

I was assigned to the In-Service Training Section from 2002 till 2004 and served as the Department's Driving Coordinator.

We went Back and Forth many times in regards to "Speed Limits" placed into the new Driving Policy.

I did not understand the full ramifications of this policy until I gave a deposition for one of our accident cases.

After the deposition I had a discussion with the City Attorney who generally handles significant accidents.

I do not recall his name.

We both agreed that "Speed Limits" would open the City up to liability claims. By the way, The City wins most cases involving the Fire Department.

For Example:

1st

We were informed by the Calif. Highway Patrol that whenever an agency adopts a policy, it become State Law for that particular agency (LAFD).

A driver, while responding, travels into oncoming lanes at a speed of 23 mph. Has he/she broken policy, therefore broken the law? YES

The City Attorney stated that in a "Court of Law" the City will lose every time if we have broken a written Law (policy).

2nd

Was the driver "GROSSLY NEGLIGENT"? Thus possibly becoming personally liable? That must be determined by a jury of his/hers peers.

In this case, probably not. The driver then awaits the Department's disciplinary process.

I understand the Fire Chief's concerns. How do we slow down these drivers?

To implement this policy with no associated documented training will accomplish nothing. The drivers will have a way out. "Nobody trained me" Mr. Attorney.

We have to begin at the grass roots level. Everyone must attend our Emergency Vehicle Operations Course (EVOC). During EVOC we can deliver policy changes and record policy compliance by way of our Driving Simulators. The students must sign a "Certificate of Compliance" produced by the simulator.

Documentation is the KEY. A driver or attorney cannot use the defense "Nobody trained me".

Once training and documentation is in place, the Fire Chief can pass down significant discipline i.e..DEMOTION or TERMINATION.

One significant disciplinary act would serve as major deterrent for the very few drivers we have that push the envelope.

Email #2

SPEED OF RESPONSE

"and in no response shall the permissible speed exceed the posted speed limit"

OPINION:

We collectively agree that speed is the single biggest factor in determining the outcome of a traffic collision. However we also agree that the key to operating an emergency vehicle on congested city streets is maintaining a presence. More specifically we are not stating that we drive at unsafe speeds but merely maintain a presence by driving at speed slightly faster than the flow of traffic. This accomplishes two things, it makes the public aware that there is a vehicle on the road with lights and sirens trying to get to a destination in an expeditious manner, and two allows us to arrive at our incident in a timely way.

We also feel that a majority of the driving public rarely drive at posted speed limits, they usually drive at 5 to 10 mph above that. By limiting us to posted speed limits we would in some cases be driving slower than the flow of traffic. We also agree that in many cases people rarely hear the sirens or the air horns (windows up, AC on, Radio on etc.)

We feel that drivers will be more unlikely to yield when they see that we are driving slower than everyone else, they might feel we may be slowing down to look for an address and then continue on to their destination.

We feel that this policy may cause more accidents in that it will confuse the public as to our intentions.

INTERSECTION WITH RED TRAFFIC SIGNAL LIGHT, STOP SIGN, OR YIELD SIGN

"Bring the vehicle to a complete stop"

OPINION:

Here again we agree that bringing the vehicle to a complete stop confuses the public. We understand the departments current policy on controlled intersections and how we shall stop at all red lights and stop signs and we dont necessarily disagree with that. However, when you come to a complete stop the driving public may become confused as to what the intentions of the fire apparatus are. They may feel you have arrived at your destination. We have a first hand experience with this the other day when we decided to follow the new policy on our next emergency dispatch, we entered a controlled intersection at Santa Monica and Western (our busiest intersection), we had the red and came to complete stop. We were heading north bound on Western, ALL vehicles in both east and west bound lanes on Santa Monica proceeded to move with their green light directly in front of Engine 52 all of this while the Engine was in full emergency mode with air horn. After that we found it difficult to break the traffic pattern so that we could proceed through the intersection. We all felt that we confused the public as to what our intentions were. We are not saying that you even come to a rolling stop, that would be unsafe. We feel that it would be safer if the apparatus was moving if only 1 mph so as to not confuse the public.

We respectfully offer these opinions not to slam this proposed policy but to maybe give some insight into how the driving community may respond to these new directives. We all agree that something needs to be done, none of us would want to be the one to tell a family member that one of our fire engines has killed one of their loved ones. But we also agree that part of our success in driving emergency is that we have always maintained an authoritative presence on the road. Not in a disrespectful way, but in a way that keeps everyone safe. Maybe additional training, or an more aggressive PSA campaign in addition to a revised driving policy might be more practical.

We also agree that whatever the Department decides to do, we will support and follow the new directives as written.

E-MAIL #3

I think most parts of the driving policy make sense. Of course, the part about not ever exceeding the speed limit is of great concern to some, but for the most part, I think it is needed. Unfortunately there needs to be some kind of limit put on speed for those who drive with dangerous speed. Also, It helps the Engineers who don't want to drive with excessive speed feel more justified when a Captain tells them to drive faster. However, I think there are some instances where it will seem wrong, or almost embarassing to go the posted speed. For instance some stretches of San

Fernando road, where the speed limit is 35. There are some very desolate stretches of this Road where going 35 will seem like crawling! And really it is safe to go faster. This road is often used as a main route for emergency responses. Mostly because of it's straight, safe qualities. I'm not sure how the Policy could be written to allow responsible drivers to go faster in these types of situations, but if it could, it might be a happy medium.

E-Mail #4

Dear Sirs,

I have input into the new driving policy, however I'm extremely busy this week with A/O Hall's situation and will not be back to duty until 8/15/06. Is an extension or delayed response alright? Let me know...

E-Mail #5

I have 28 years seniority, 14 as an A/O, most of it at active assignments.

While a formal driving policy would be acceptable, the proposed one is not. I feel that it would create hazardous driving situations that would result in an increase in accidents, and litigation against the department.

My thoughts are as follows:

- 1) Our drivers have enough to think about during a response. Traffic, response routes, road conditions, other companies responding, etc. I want my driver to monitor these things, not his speedometer.
- 2) Civilian drivers may do several things. A) Routinely drive over the speed limit.
B) Become confused and irrational at the sound of a siren.
C) Do unpredictable things behind the wheel at the sound of a siren. A fire apparatus responding emergency more slowly than a civilian is driving will result in our apparatus being overtaken and passed, creating a huge potential for collision.
- 3) It is reasonable to assume that some members of the legal profession would enjoy dissecting such a formal policy, and sue over the slightest infraction.
- 4) There are already feelings in the field that we receive no support from the Department. Now look at #3. An engineer is driving 2 mph over the posted speed limit and is involved in a fatal T/A. What kind of Department backing will this

engineer receive when the personal injury lawyers base their litigation on the fact that he was in violation of policy.

An effective policy would be based on the following:

- 1) The Basic Speed Law. Law enforcement agencies use it, the vehicle code speaks of it. Why not us?
- 2) Apparatus positioning / lane selection. Huge in preventing accidents, as it give opposing traffic the best view of the apparatus and "telegraphs" our intentions.
- 3) The "Smith System", aim high, big picture, etc.

Our formal policy should not limit us to the posted speed limit, nor should it have any reference to an absolute speed.(i.e. 10 mph over posted).

Our organization logs thousand of miles in very challenging driving situations. It would seem that our ratio of miles per accident is very favorable.

E-Mail #6

This letter is in response to the Planning Section requesting input on the draft of the LAFD EMERGENCY VEHICLE OPERATING PROCEDURES.

State law and current LAFD policy require driver/operators to operate their apparatus in a safe manner. Therefore, I do not believe that this policy is needed, and will be counterproductive. Further more, based on 23 years of emergency driving experience, I believe this policy is unsafe. The following are examples of concern.

Page 3, Section 2, City Streets:

"When LAFD vehicles are responding emergency on City streets, the maximum speed permissible shall be consistent with the Basic Speed Law and shall not exceed the posted speed limit."

This will cause drivers to drive by speedometer rather than the road. This constant removal of the eyes from the task at hand, safely driving your rig, will cause a decreased awareness of the road conditions around you INCREASING the likelihood of an accident. Driver/operators have enough on our minds with incident related concerns, road hazards, radio traffic, hydrant locations and other responding companies to name a few. I can operate my rig safely without looking at the speedometer. I can not operate my rig safely without looking outside. Emphasizing tools like the Smith System rather than the speedometer will enhance safety.

This section also does not take into account the fact that one cannot always know what the speed limit is. You may miss a speed limit change because of a blocked sign, traffic, trees or other dangers precluded you from seeing the sign, or simply when you make a turn onto a street and there is not a visible speed limit sign. One cannot obey the speed limit if one does not know what it is.

The average driver does not obey the posted speed limit. The speed of traffic is usually 5-15 MPH greater than the posted speed limit. If traffic is traveling faster than we are while responding, this creates a significant danger to the drivers and our crews that does not exist now.

Any specificity of speed limits, rather than safe operation, will increase the City, the Department and the member's liability.

Page 4, Section 4, Traffic Lane Placement while Responding

"...driver should position their vehicle in a manner that will create a visual awareness to the emergency vehicle's presence and intentions, as well as providing the emergency driver with increased visibility to traffic conditions ahead... This is best accomplished by driving in the #1 lane, or left lane of travel, with the apparatus positioned slightly to the left of the normal driving position."

The above is wrong and prevents proper placement. The best position for a responding apparatus is to straddle the centerline. A heavy apparatus takes up the whole lane; you are either in the lane, or across the line. There is no slightly to the left. By straddling the line you accomplish two things. First, your right front emergency lights are visible in the civilian's interior rear view mirror. Your left front emergency lights are visible in their drivers door rear view mirror. Coming up behind them in their lane (#1 lane), our lights are not visible at all. They are in the civilian's blind spots. Second, by being ½ way into the oncoming traffic lane, we are going to be noticed by the oncoming drivers. If we travel in the #1 lane, we just blend in with the rest of the traffic. The drivers are too distracted to notice, but they do notice big red coming right at them. If the oncoming drivers don't see us until we are on top of them, how can they grant us the right-of-way?

Page 4, Section 5, Travel in Opposing Traffic Lanes

Section 4 states: "...visibility of Department apparatus can be increased if an "Off-Set" formation is used." Section 5 will virtually eliminate this valuable method of response. Most major streets in LA are two lanes in each direction. When responding, the traffic should pull to the right, which is usually part or all of the #2 lane. This only leaves the #1 lane available for us to travel in. If the truck responds in the #1 lane at the posted speed limit of 35 MPH, and the engine Off-Sets the only way possible into oncoming traffic lanes, the engine will have a maximum speed limit of 20 MPH. This will not only prevent Off-Set formations; it will eliminate convoy response.

Section 5 will result in apparatus responding in column, or single file. This is dangerous for several reasons. First, as already demonstrated, it will virtually

eliminate Off-Set formations. Second, while traveling in single file, civilians ahead of us will have no idea how many rigs are coming. This will cause confusion on their part and more, not less accidents will result. Third, any rig following the front company will not be able to see what is ahead. If the front company has to suddenly stop, the following companies will not be able to see the danger and anticipate stopping, thereby increasing the chances of rig vs. rig accidents while responding.

Restricting the speed limit while traveling in oncoming lanes will present another danger not seen today. In order to maintain speed, drivers will be inclined to squeeze through small openings in traffic, rather than slow down and cross into oncoming traffic. The results of this are quite predictable, more, not less intersection accidents. Section 5 can be interpreted as requiring squeezing through small holes in traffic. It states "If there is no way to proceed with the flow of traffic, travel against traffic is warranted..." A small hole in traffic is obviously not the safest, but it is a way to proceed.

I believe that one of the best forms of defensive driving is to 'telegraph' my intentions to the surrounding drivers. I do this in a variety of ways such as using my blinkers. Another method I consider crucial to intersection safety is stopping traffic from entering the intersection prior to my arrival. If I am approaching a stale red light, I will swing into the oncoming lanes a block or more out. When the light turns green, they are facing big red and usually hold their position. Under this new policy, I will have to choose between slowing to 20 MPH for a block or maintaining my speed in the #1 lane and arrive at a clogged intersection. Approaching for that distance at such a slow speed has caused drivers to think they can make it across the intersection before I arrive, thereby negating any previous advantage. Please don't take this valuable safety tool away from us.

Any specificity of speed limits, rather than safe operation, will increase the City, the Department and the member's liability.

Page 5, Section 6, Formation response or Convoy response

The driver of the truck is supposed to drive slower if I don't keep up on the engine. If I can't see what is in front of the truck, I am going to lag back to provide plenty of maneuvering room. This is a tricky dance that is safely done today with Off-Set formations. The lead companies priorities should be the road in front of him, not his speedometer or how far behind him I am.

"During non-emergency routine duties, the truck should slow or pull over if the pump is delayed or begins lagging behind." The mentality that the pump has to stay up with the truck no matter what is the root cause for a couple recent bad accidents. This statement just reinforces that attitude. At Fire Station 39, we teach young firefighters that it is OK for a separation. We know how to get to the incident and the truck can function without the pump for a few moments. Getting to the scene safely is more important than keeping up with the truck.

Page 6, Section 7, Paragraph 6, Intersections

"If continuity is not maintained and the lead vehicle departs the intersection, the remaining apparatus will be considered a single unit and the driver shall bring the vehicle to a complete stop."

As I just mentioned above, the mentality of having to stay right on the tail of another company has lead to bad accidents. This will just further that attitude. A driver should not be thinking that the closer I am to that rig, the faster I can go.

A second problem rests with the front companies. Each company as it crosses the intersection will be watching the company behind in the mirror to ensure the "apparatus of the convoy shall maintain safe proximity to ensure control of the intersection." The dangers here are quite obvious. The drivers should primarily be paying attention to the road ahead where future dangers to that rig lie.

Page 9, Section E, #1, CVC 17001 Liability of a Public Entity

"A public entity is liable for death or injury to person or property proximately caused by a negligent or wrongful act..."

By placing specific speeds that shall not be violated in the name of safety in any policy, any accident at even 1 MPH above that listed speed will be unarguably unsafe and therefore negligent. The City, the Department and Member will automatically be guilty of negligence, and we will have no defense. I understand the City Attorney rarely loses a T/A case involving the LAFD. This will change under this policy.

Page 9, Section E, # 4 CVC 21056 Effect of Exemption, #5 CVC 22350 Basic Speed Law and # 7 Effect of Exemption

These laws are quite clear, as are our policies. The drivers that violate these laws and Department policies can be dealt with under current Rules and Regulations. Unfortunately, policies do not cause people to drive safely. If it were possible to legislate safety, we would not have accidents.

Page 10, Section E, last paragraph

"The key to safe driving is efficiency and consistency, not how fast you drive." Then why are you trying to regulate our speed?????????

Our driver/operators overall drive in a very safe manner. The few accidents we have while handling the high call load we have is nothing short of remarkable. Only 283 accidents (not broken down into emergency vs. non-emergency by the way) in 2005 out of thousands of responses. 39 (also not broken down into emergency vs. non-emergency) accidents in intersections equates to an average of .03 per incident. Not responses, that number I don't have, but it is thousands more than the incidents. Why are you trying to create policy that affects much less than .03 % of our incidents? Our driver/operators should be commended, not micromanaged.

As I have laid out above, I believe based on my 23 years of emergency driving, all over this great city, this policy will create more dangers than we currently face out there on the road. I believe this policy will be counterproductive and cause more accidents, not less, as well as increase, not reduce liability.

I believe there is a more productive way to make our response driving safer. First, continue to put better and more emergency lighting on our apparatus. The more visible we are, the safer we are. Second, continue to order rigs with the Federal Q2 mechanical siren and retrofit all rigs that don't have one. My experience has shown this to be the most effective siren. The electronic siren and the Wolfe siren currently on the new Seagraves are pathetic in comparison and do not move traffic. The guys on Engine 39 (Wolfe siren) say their siren makes noise, while Engine 7's siren (Federal Q2) moves people out of the way. If the citizens don't see us, and they can't hear us, they don't know we are there so how can they yield the right-of-way? Third, safe driving comes from effective mentoring, training and experience, not policies.

Thank you for the opportunity for input on such an important subject.

E-Mail #7

I am responding to the request for input concerning the
"Emergency vehicle operating procedures draft"

Although I understand that there are compelling reasons to try
and "slow down" our drivers, I feel that

There are several issues that have not been addressed.

1. In my experience, I have noticed that many of our rated
drivers(including those
driving rescues) have developed many bad driving habits. I
believe this is caused
by the fact that there is no STANDARDIZED emergency driver
training before
being placed in the drivers seat. We commit countless hours
in preparation for a
practical, but the candidates emergency driving skills are
not even evaluated.

When the newly appointed a/O Engineer responds to his first
call, his emergency
driving experience could consist of 1 response or 40
responses, depending on
multiple factors.

A possible solution would be a mandatory 4-8 hr class
in emergency driving
techniques with a competent instructor. This would be

required for ALL drivers of
emergency vehicles.

2. We continue to increase the amount of resources that respond
to a call.

Although it looks great on paper, do we really need to send
a heavy rescue on

Physical Rescues unless requested?? or a EMS supervisor on a
reported

structure?? I understand that these folks need to be
included, but is it a sound

risk management practice?? Every additional emergency
vehicle that is

responding increases the probability of an accident.

3. As a Engineer, I know that driving too slowly during a
response can actually

confuse the civilian driver. Too much time spent at a major
intersection stopped,

and they will take their right of way. The same thing can
happen while traveling

against opposing traffic. In my opinion, safety is increased
by aggressive driving

and early apparatus placement, with a safe reaction distance.

To summarize, I feel that the proposed draft is an attempt to fix a complex
problem with

a shotgun approach. I am sure that if implemented, it will reduce accidents.

In other words, if

we don't respond, we won't have any accidents. Along the same lines, if we
don't ventilate

roofs, we will have less injuries.

With the correct training and resources, I feel that we could

still do our job and respond to emergencies, and also reduce accidents. I

for one know that I would be very unimpressed if I saw a Engine Co. responding
to a family member in full arrest traveling at 35 MPH on a wide open Blvd.

E-Mail #8

First of all I think we should congratulate our professional drivers for their
outstanding driving record. If we look at the average of 1200 responses a day,
and a MINIMUM of two apparatus per incident, we have 2400 apparatus on the
road each day. If you multiply that by a year (365) that is 876,000 apparatus,
both light and heavy, responding to emergency incidents! It is a tribute to our
people that we had an average of ONLY 287 accidents a year. This number

includes all "accidents" no matter how minor. Our "accident average" is a measly .0003%! (That's three ten-thousandths of one percent!) So how can we make it better? The following are a few ideas from Fire Station 98 in no particular order:

1. Signal controllers that would change the lights at the intersection with approaching emergency vehicles.
2. Keeping the Task Force or Light Force closer together during responses. Better discipline by the drivers and Captains to make this happen.
3. More formal driver training – skid school, lessons learned, input from field
4. Bring back map drills at the station level.
5. Supervisors take a more active role in controlling the speed of the apparatus.
6. When approaching a vehicle from behind in the left turn lane, be able to pass on the left OR right, but slow down to a speed that will allow you to stop if that car turns into your path of travel.
7. Allow apparatus to cross over the centerline, when safe, to increase visibility and lane control.
8. Eliminate the need to stay within the posted speed limits on surface streets.
9. Eliminate the "Quick Launch" program putting multiple companies on the road unnecessarily.
10. Eliminate sending 3-4 companies on minor EMS incidents as part of the initial dispatch.
11. Eliminate sending multiple companies "non-emergency" to an incident. If it is "non-emergency" send just one company.
12. By reducing the number of companies responding to incidents we will reduce our exposure to accidents. As a side benefit we will reduce our fuel costs as well!
13. Rethink our "response and on-scene" times. Is it really necessary to get to a low-level EMS call in five minutes or less? On these we could slow down. There could be variable response times based on the severity and necessity of the call for statistical purposes.
14. Add more paramedic rescue ambulances. Take paramedics off of Engines and Light Forces and put them on 800 ambulances. This would eliminate some of the heavy apparatus responses while keeping the number of paramedic resources the same.

E-Mail #9

Dear L.A.F.D. Planning:

This letter is in response to the request for feedback to the draft of the LAFD driving policies.

I have been a member of the LAFD for almost 26 years. I have held the rank of Apparatus Operator for 20 years. I believe that I have encountered just about every driving condition, both nonemergency and emergency in those twenty years. My comments are being made through my own experiences.

I have never received any formal training for driving heavy apparatus under emergency or nonemergency driving, other than the annual driving rodeo

provided at the battalion level. My informal training came about at the station level prior to my appointment to my present rank. I was fortunate enough to have had rated members and officers who were experienced operators in their careers and knew the importance of passing on their experience in many ways. These included, but were not limited to drills, "kitchen table" skull sessions and acting positions in which I was able to drive during emergency and non emergency responses, knowing that I was being critically evaluated every time.

My mentors experience could be talked about and taught. The ability to avoid an accident in a given situation, even textbook situations I think needs to be personally experienced and acted out to receive full benefit. This experience gained through time behind the wheel is invaluable. In some cases, skill of the driver has avoided horrific accidents. Still others can be attributed to luck or fate. Whatever the case, the incident is often the first time that the driver has been exposed to that situation. In future situations of similar types they can draw on experience to avoid trouble, but up to that point their "rolodex" may be empty.

The following are points that I believe need further consideration prior to adopting a new driving policy.

Speed limit while driving emergency.

The State of California Vehicle Code allows for some waiver of the code for drivers of emergency vehicles in response to emergencies while warning devices are being operated. I believe that the LAFD should abide by the State Vehicle Code to the letter on this subject. The reason for this is that the proposed changes leave no discretion to the driver under a possible unknown situation. By being just one mile per hour over the posted speed limit, the driver is presumed to be violating department policy. Newer apparatus are equipped with devices that can record speed among other vehicle operations. Are these devices accurate? When are they tested for accuracy? Is it wise for the operator of a heavy apparatus to be constantly looking down at their speedometer during an emergency response rather than paying attention to what's going on in front of them for fear of violating the posted speed limit? These questions need to be addressed before prior to entering a courtroom.

Twenty miles per hour maximum when passing on the left into oncoming traffic.

In some situations twenty miles per hour is an inappropriate speed. It's too fast. Other times it may be necessary to drive on the left side of the number one lane during a short stretch of roadway due to unknown factors. Once again by putting a strict speed other than what the State Vehicle Code provides for under the rules for emergency driving leaves a variety of unanswered questions that need to be addressed prior to implementation of a "hard" speed limit for any emergency driving policy.

Driving in an "offset" during multiple equipment responses.

It is my personal opinion that driving apparatus in an offset pattern is not only dangerous to the Fire Department drivers, I believe that it confuses civilian drivers and may have contributed to a fatal accident in the past. While responding to an incident, to have an engine either to my left or to my right and in close proximity to my apparatus often crowds my ability to react to changing traffic conditions. Seeing the apparatus in the side mirrors are sometimes an unwanted distraction. I also believe that this formation confuses some civilian drivers at intersections. The wall of lights and apparatus does not give them a perceived way out and leads to unpredictable driving behavior. For civilian drivers in the number one lane or left turn lane, this is what they may see when being approached from the rear by our apparatus. The fire engine driving up behind them with sirens and horns. It catches them off guard for a moment. There are cars to the right, can't go there. It's right behind me. I'll turn left and get out of its way. The one problem, they only looked in the rearview mirror. A driver will almost never look in the side mirror. If they did, they would see the aerial ladder truck just before it crushes them. Even at low speeds their vehicle will be crushed. Try this one at home. Watch the person that you drive with and see how many times they look in the side mirror when an unseen, but audible emergency vehicle approaches.

Accident investigations

Now that it's happened let's do it right. \$25,000 is nothing these days. The problem is that we never know when a fender bender is going to become an injury suit against the world. I speak from experience. My question now, as it was then and I'm not trying to make fun of anyone. How can a person, who just the week before was at a desk, who was never a heavy apparatus driver and is now promoted to a Chief Officer properly investigate an accident involving heavy apparatus. In addition to this I have never been able to find a single LAFD Chief Officer who has been to an approved traffic investigation school. The Chief Officer then writes their report in conflict of the LAPD traffic officers who also investigate our accidents.

I once worked at an assignment where a puzzled LAPD traffic officer was required to visit my fire station after being told by his superior to rewrite his traffic investigation report. His new report was to make the LAFD driver at fault in an accident that he investigated days earlier. His first report showed that the civilian driver was at fault for failure to yield and other vehicle code violations. This request to change the report was made to his LAPD superiors by the LAFD! This Police Officer did not falsify the earlier report, he did not lie, and he wrote the report using the California State Vehicle Code. Until we get trained accident investigators, we should use the report of the LAPD to determine the cause of our accidents.

If some of the paperwork generated by our accidents is not time critical, then why not consult the help of the City Attorneys office in preparing our paperwork. This is not to cover anything up or hide the truth. The facts are there, but unfortunately in this day and age to limit liability, we need to make sure we have everything covered before the case goes to court. Let's face the facts accidents are expensive enough already. In the past during an investigation a Los Angeles City Attorney personally told me that our accident reports contain too much information. In trying to do a thorough job on our reports, we tie the hands of the City during litigation due to seemingly innocent statements made on official reports. No surprise there, we're firefighters, not lawyers.

I believe that the LAFD is going in a positive direction in its training for the driving of its apparatus. Simulators and the skid school are positive steps. How about sending soon to be promoted members to driving school prior to appointment. I believe that the costs could be justified by preventing one accident per driver during their career. Warning devices such as mechanical sirens need to be revisited. I can tell you from experience that people hear a mechanical siren when they do not hear an electronic one. In a perfect world there would be no accidents. We should always strive for just that. In every good experiment you try to eliminate the variables. If you make shot gun changes, you won't know what the correct answer was. The old days of sitting at the kitchen table at midnight with a cup of coffee and learning your craft from those with experience are sadly coming to an end. Much knowledge was learned and passed on. Today many of our members see the promotion to engineer or apparatus operator as not worth the effort. They make the same pay remaining a paramedic until they promote to Captain. Don't take my word for it, look at the low number of people taking the engineer and apparatus operator test. Perhaps it is time to increase the years of service prior to a captain promotion. Then some firefighters would become engineers or apparatus operators to "get off the rescue" for a period before taking the captains exam. Remember in the front of the apparatus there are two people, if the one on the right side can't pass on their knowledge due to their lack of it, then who is at fault for our accidents.

I would appreciate any correspondence.

E-Mail #10

When responding in offset formation, what is the speed limit for each apparatus? According to the draft bulletin, when traveling in opposing traffic lanes, the maximum permissible speed is 20 mph. For example, the truck is in the #1 or left lane going 35 mph, the engine is offset in the opposing traffic lane and is limited to 20mph. This will cause rigs to fall behind. Traffic lane placement while responding and travel in opposing traffic lanes and speed limits need to complement each other and not contradict each other. This area needs to be re-evaluated and if possible refined.

Public education efforts need to be continued year around. MTA should be contacted and asked if they would donate advertising space on the side of buses to place public education signs "Pull to the Right" magnetic signs or other suitable advertising.

The Department of Motor vehicles (DMV) should be contacted by the Fire Commission and City Council and asked if the DMV drivers written examination can include questions related to yielding to emergency vehicles. Answering questions related to yielding to emergency vehicles correctly should be mandatory to pass the drivers examination.

When the new driving policy is approved and implemented, all Engineers and AO's should be detailed to a training session explaining the new policy in depth with an emphasis on why the policy was changed. The policy needs to be presented in a consistent, organized and professional manner. Sending out such a significant policy in a bulletin and directing everyone to read it and then document in the PRB and journal that they understand it does not cut it. A cadre of heavy apparatus drivers and former drivers with credibility should be used to teach the new policy

The Department needs to revisit the process of obtaining funding for signal light controls (Opticom program, etc.) Traffic is only going to continue to get worse and we should be looking at anything that will help us during emergency responses.

A DVD of the new response policy needs to be made for training light vehicle drivers and for future training. The DVD should include pictures of LAFD vehicles involved in traffic accidents. E204, T15, etc. The apparatus numbers could be removed so apparatus could not be identified.

Heavy apparatus drivers should be sent through the simulators and driver trng program asap.

Thanks for listening to us.

E-Mail#11

Gentlemen:

Suggest that consideration be given to addressing passing vehicles on the left during emergency response. A number of our accidents over the years have involved such maneuvers, some of which have resulted in fatalities. Although some defensive driving references address passing on the left, I believe that the Departmental Bulletin should specifically address the issue as has been done with passing on the right.

E-Mail #12

I am responding to your request for input regarding to proposed changes to the driving policy of our apparatus during emergency incidents. I have been a member of the L.A.F.D. for twenty years and have been an engineer for the past fifteen years.

While I do agree that safe operation of our vehicles during emergency responses is of paramount importance not only for ourselves as well as the public this new driving policy as described will not effectively serve the public or our department drivers for the following reasons.

MAXIMUM ALLOWABLE SPEED LIMITS

As described in the vehicle code our vehicles should respond in a "*Safe and prudent manner with due regard for weather, visibility, traffic and road conditions*".

This statement is the key as far as speed of our apparatus is pertained in my opinion. Are we not responding to an *emergency* incident as defined by O.C.D., and is time not a factor in our arrival?

By this I do not mean that we should all be racing beyond the safe limits of the roadway to get on scene, sometimes we are going faster than the posted speed limit, others we are at a dead stop waiting for a brake in traffic. But limiting our speed to designated limits both in our own lanes and opposing traffic seriously hampers our response time, but in my own opinion hampers the safe operation of the driver.

I have been told by members of the driving cadre that the city attorney does not want designated speeds listed in our manuals due to the possible litigation possibilities if we are found to be one or two miles an hour over "The Limit" in an accident. This also sets up the drivers for possible civil litigation if they are found guilty of being over the limit.

If this is the intended reason for the change then it may stop a few accidents but it definitely affects the morale of all the drivers who operate our rigs in a safe and prudent manner with the prospect that every time they get behind the wheel to respond to someone that has *requested our help* it may lead to the loss of his home and family.

I have always taught the young firefighters that the worst thing that you can do as a driver is to take your eyes off the road during emergency runs due to the ever changing conditions in traffic as we respond. Constantly having to make sure that you are not over the "Proper" speed depending on your location on the street limits our ability to keep all of our attention focused on the road and is one less thing we need to concern ourselves with during our runs.

We all know that our responses are not done in one lane as if we were going to the store. We are constantly changing lanes to navigate to the emergency and having to constantly change our speed due lane positioning

seriously affects how we drive and what the public perceives we are doing. Is he slowing down to stop? Does that mean I can proceed as before?

DRIVING OVER THE DOUBLE YELLOW

I was taught as a young firefighter by my engineer's and captain's that the proper place for your apparatus was to "straddle the double yellow whenever possible". This was done in order to make as many people as possible pull to the right in both directions and allow you with the most room to navigate the street enroute.

We all know that the public is supposed to yield to us and we also know that most of the time they don't or use a modified version they make up on their own. It even states in the vehicle code that the public shall pull to the right. But the public's form of *shall* must be different than ours.

Traffic in our direction sometimes pulls to the right and traffic in the opposing direction only stops in place or does not stop at all most of the time. Like it or not in order for us to respond emergency we have to take over the street to a degree and make people get out of our way with as much notice as possible as long as it is done safely.

In the Driver's Training Manual the "Smith system" refers to "*always leave yourself an out*" as one of the most important rules of driving. The only way for our large and sometimes multiple apparatus to operate safely not only for ourselves but also for the public drivers to gain as much access as possible to the roadway for the unknowns that always happen during emergency runs.

I follow this rule and still teach this style of driving to our young firefighters. It has nothing to do with speed and everything to do with giving me the most room to navigate my rig safely thru busy city streets. I want everyone to know that I am coming and to get out of my way.

This has nothing to do with being an arrogant driver. I operate this way because I have found that this is the most effective way to provide for my own safety, the safety of my crew and the public's safety also.

CONVOYS

It has always been stated to drive off-set during responses in order for our drivers to see conditions ahead as does this policy. We at 39's have six vehicles in our typical convoys. How can six vehicles travel in three lanes of traffic (That is if there is not a single vehicle on the road that we have to navigate around) and see conditions ahead without crossing the double yellow to get a clear view of what we can expect to find at the next intersection? If a vehicle crosses the line to see what's coming ahead does he have to slow to 20mph and automatically break up the very convoy we are trying to maintain?

Without the ability to cross the double yellow when done safely and get a clear view of what we are in for seriously impairs the drivers in their ability to react to surprise situations as they arise. I in no way feel comfortable *blindly* following a vehicle no more than a few feet behind in order to keep the convoy

intact thru an intersection that I have not been able recognize the hazards and potential escape routes if needed myself before hand.

As for the lead vehicle in the convoy making sure that everyone keeps up, doesn't this driver have enough to do just to operate his own vehicle in a "safe and prudent manner" without having to worry about everyone else in his convoy?

SHUTTING DOWN LIGHTS-FORCING PEOPLE INTO INTERSECTIONS

In regards to stopping in the proper lanes of traffic and "Acting non-emergency" until conditions improve, this will only confuse the public into thinking that you are not responding anymore and forget that you are there. I am not in favor of forcing people into intersections when they have the red light at all, but at least leaving our emergency lights on so everyone else knows we are still in route. There are times that this is necessary. But I have found that the best way to avoid this is to make your intentions known to the opposing traffic that you need to use their lanes in order to safely navigate thru the intersection and to show them this by crossing into their path of travel far enough away from the intersection to make them understand that if the light in their direction turns green to hold and wait for us to pass. The reason most of the time we can't get thru the intersections is due to all traffic stopping in place (Opposing after crossing the intersection so they don't miss the green light) and not allowing us to navigate. Without the use of emergency sirens and horns we would all still be sitting at the intersection.

CONCLUSION

No matter what is written in our manuals there will always be accidents when you are responding to emergencies in a large city. Our units are responding to ever growing numbers of incidents every year and the law of averages will always get you in the end.

Most of our drivers are outstanding at driving emergency and to punish all of them with added restrictions because of the actions of a few is not right in my opinion if you still want us to be an *emergency* service. Our department already has a driving policy that is sufficient, if a member is found to have grossly abused the privileges then it is a matter of discipline.

No matter what is written it will always be the *attitude and experience* of the driver (And company officer who is riding right there beside him) that proves how safely his/her apparatus is operated on the street. A wise old captain once told me "*I have no problem telling a guy to slow down, but I will never tell him to speed up*"

Thanks for the opportunity to give the comments.

E-Mail #13

I was an Engineer for 14 years. One of the most important aspects of driving emergency is to make people aware you are driving emergency and telegraph your intentions. Warning lights and sirens should serve this purpose but as we know many drivers do not hear the sirens and/or do not see the lights. I found that straddling the center line or driving in the oncoming lane will caused other drivers to pull to the right and open up a corridor well in advance of my arrival. With the new policy it will be impractical to go in opposing traffic. Positioning the apparatus has been a key to safe emergency driving for me. Overall I feel the new driving policy will not be workable in Los Angeles.

Hope we get it right.

E-Mail #14

To whom it may concern,

The following are my comments concerning the new LAFD Driving Policy. Overall, the policy seems to be quite sound. I am troubled by one aspect of the policy found in the section of "City Streets" under "Speed of Response". The new policy limits our response speed to the posted speed limit. This runs counter to our function as an emergency service. There are not many lay people these days that drive the speed limit and therefore, as we drive emergency at the speed limit, cars will pass us, further contributing to the public's confusion of LAFD actions. I truly understand and share the Department's concern about the number of accidents that members are involved in. While speed is one contributing factor in accidents, it is but a small factor. As you correctly list on the first page of the draft, among the factors are: the escalating number of vehicles using the roadways in LA, a lack of responsible driving by members of the public, and vehicle enhancements which diminish a driver's awareness level. Let us not forget the use of cell phones. As part of your own list, speed was not listed, leading me to assume that even the administration does not consider speed to be such a concern. If our members would be involved in accidents due to speed, we would see more rollovers of apparatus while going around corners and simply losing control while driving. If these occur, I am sure that the administration would make these known to the members. It is my opinion that reducing the speed of our responses will not decrease, by any significance, the number of accidents that the department is involved in. Where speed does play a factor is the amount of physical damage to property and the severity of injuries that occur after an accident happens.

The Department would do well do expend energy in a good defensive driving course for the members. Too many don't know the principles of emergency driving (which, of course, are applicable to everyday driving as well). How many drivers look farther than a half a block down the street? How much do drivers scan the roadway ahead of them? Do they look for hazards in the street, on the

sidewalks, in the vehicles themselves? Do drivers position themselves properly while driving? All too often we pass vehicles on the right and not on the left. It is no wonder the public is confused about what to do when they see an emergency vehicle and so they sit in the middle of the street, forcing us to drive into opposing traffic.

Let us send all members to a good independent defensive driving class. Let us bring back the annual driving rodeo and make it have some teeth; if you don't pass, you don't drive! There is so much more that the Department could do to lessen accidents, that if done, speed will virtually become irrelevant. It is no secret that the "Quick Launch" program is a precursor to this new driving policy. It is no secret that the "Quick Launch" program has increased the number of daily responses, inevitably leading to an increase in the probability of more accidents. If the Department is truly serious about reducing the number of accidents, there are so many more effective avenues to travel on than the one the Department has chosen. Please rethink this aspect of the driving policy!

E-Mail #15

August 22, 2006

To Whom it May Concern,

I have reviewed the Special Notice dated 8-16-06. If you are truly interested in feedback concerning the new Driving Policy, have the Department implement it on a trial basis in a selected Battalion only. Instead of personal subjective opinion from Department Members guessing about the new Driving Policy, you would be able to obtain factual information based on the trial program.

We tried the new Driving Policy at FS 37 for one segment approximately one year ago. We found that when responding while adhering to the posted speed limit, we were getting passed on both the left and right sides by civilian vehicles. This proves extremely dangerous when attempting to make a right hand turn while responding emergency.

E-Mail #16

SUBJECT: RESPONSE TO PROPOSED DRIVING POLICY

In response to the proposed new driving policy the following input is being submitted:

The "New" driving policy is, apparently, a compilation of current Department policies and procedures regarding emergency driving. It is fully agreed that constant vigilance is demanded of all apparatus operators whenever they are

operating Department apparatus, emergency or non-emergency. It is also agreed that zero accidents are a commendable goal. However, the reality of life is that some accidents can, and will, happen regardless of the precautions taken by our operators.

The statistics provided in the proposed document cite an average of 287 accidents per year, with approximately 40 of those at intersections and that 20% of the intersection accidents resulted in injuries. When those figures are considered against the fact that our Department responds to over 300,000 incidents per year, that may involve multiple vehicles traveling to the same incident, the percentage of accidents per response is .00095. The occurrence of injury level accidents is .00013. While even one high profile accident casts a shadow on the Department and raises response policy issues, our operators should, in general, be highly commended for their safe driving record. Our response to accident ratio is below almost every statistical scale, other than absolute.

The Department already has a training volume dedicated to driving Department apparatus. Within that volume, the Rules and Regulations and the Manual of Operations are numerous entries directing our operators to drive safely, obey the "rules of the road" and follow Department response guidelines.

Basic Department teachings, employing the Smith Driving System, have always taught drivers to (1) beware of your surroundings, (2) be ready for the unexpected, (3) let other drivers know your intentions and (4) leave yourself an out. The "new" policy implies that our current operators are deficient in all areas. The statistics would prove otherwise. Our operators consistently place their apparatus in a visible position to indicate their travel intentions. Doing so early allows civilian drivers to respond appropriately, generally. Limiting speed of travel based on their position in traffic lanes could result in drivers, in an effort to maintain speed, will wait longer before crossing over the "double yellow" thus giving all drivers less time to react to the situation.

This new policy also does not clarify what speed an apparatus is to operate at when responding as part of a convoy and they cross over the "double yellow" as they assume the "off-set" configuration.

The policy of apparatus operation while on freeways does not seem to reflect knowledge of the recent decision by the CHP with regards to the collision between a Rancho Cucamonga fire engine and a casino bus that occurred last year. The CHP found the apparatus driver at fault because he was not operating his siren along with his lights while crossing traffic lanes to get to the incident. That decision has set an investigative precedent that may cause our Department to reconsider our past practices.

This new policy makes a basic assumption that drivers pull to the right when becoming aware of an emergency response. The reality is that some do pull over, most just stop where they are, some speed up to get to the turn lane to avoid an inconvenience and some don't stop at all. It also assumes that drivers are obeying the posted speed limits. Simple observation will show that this is not true either. Thus, requiring emergency responding apparatus to not exceed the posted speed limits could put them in the position of moving slower than general traffic.

The new policy prescribes "route planning " as a way to alleviate traffic jams and general congestion. Do we not already do this? It is suggested that responder drivers choose routes that avoid buildings and trees at intersections to improve visibility. This is Los Angeles, identify intersections that don't have buildings and/or trees. With regards to "traffic lane placement while responding", these procedures are already in place.

The procedure for traveling in opposing lanes could create more problems for the public and the Department. If apparatus continually have to brake as they weave in and out of traffic drivers could become distracted with having to check the speedometer as they do so instead of keeping their head up to watch traffic. A conscientious driver will only stay across the line as necessary and will move back into the direction of travel lane as soon as safe. The constant speeding up and slowing will only add to the confusion of civilian driver's as they will not know whether we are continuing, or slowing because we have arrived at our destination. The repeated slowing may also result in frustrated civilian drivers speeding up in an effort to avoid being delayed by our actions.

The balance of the directives in the new policy should already have been covered in other Department library publications. This Department has already developed strong, specific, instructions for the drivers of its apparatus regarding safe operations and driving habits. The Department's own statistics show that nearly 100% of our responses are conducted in a safe, responsible manner. The Department's issuing of a "new" driving policy seems to be an indication that they do not believe their own facts.

It is true that several high profile incidents have occurred in recent years that have had terrible consequences. Those few incidents, however, should not result in a blanket condemnation of the rest of the Department's quality operators. Do we drive too fast sometimes? Yes we do, but hasn't the Department created this climate by repeatedly emphasizing the need to be "on scene" as fast as possible. The admission of driving fast does not necessarily mean unsafe. The percentage of calls to accident ratio indicates that. There are only so many ways a company can get out of quarters fast before there is no more room for improvement. It is not acceptable that street travel is used to "make-up" time and that message needs to be repeated. However, if there is an insistence that operators obey a restrictive speed policy, then they should be released from the time demand for

restrictive speed policy, then they should be released from the time demand for arriving on scene. This new policy also ignores the fact that many streets have been "engineered" for a speed that exceeds the posted speed limit. The posted limit is to ensure consistent traffic flow in a city of a million vehicles that tries to match flow with signals. When heavy traffic exists our operators slow down to safely navigate their apparatus, when it is lighter they can move faster, just as general traffic does. From 26 years of observation driving I can attest that overall civilian road speeds exceed the posted limit.

If the Department truly feels there is a need to reemphasize the Department's driving standards then a perfect vehicle to do so exists in the new BES Training program, where every member can be reached with an identical level of information.

E-Mail #17

C: Emergency Vehicle Operation

1. Right Of Way-

The draft states, "These devices simply request the right-of-way from other drivers based on their awareness of the presence of an emergency vehicle (CVC 21807).

"The provisions of section 21806 shall not operate to relieve the driver of and authorized emergency vehicle from the duty to drive with due regard for the safety of all property."

No place in CVC 21807 does it say that we "request" the right of way. Please refer back to CVC21806 this tells of the non-emergency vehicle duties.

2. Speed of Response-

We will not be allowed to go over the posted speed limit, even going emergency.

It is a well-known fact by any one who drives that no one goes the posted speed limit. They go faster! If we go the speed limit while going emergency we will be pasted and this is not safe. After all we are just "Requesting the right-of -way.

5. Travel in Opposing Traffic Lanes-

Does driving with one set of tires over the center line/divider count as "Driving in Opposing Traffic Lanes?"

By traveling with one set of tires over the center line/divider our visibility is greatly increased by both the vehicles traveling in our direction and those traveling in the opposite direction.

Lights and sirens do disrupt and disturb both directions of travel and more so to those who are traveling in the same direction as the

emergency vehicle. Where as the traffic traveling in the opposite direction are already looking in the direction the emergency vehicle is coming from and thus are less likely to be disturbed and surprised by an emergency vehicles presence.

-Speed of Response-

If we have to travel at the posted speed:

- A. Response times will be increased.
- B. There will be very little reason to go emergency to any response.
 - 1. Are we an emergency service?

Will the Fire Department provide an allowance to help provide:

- A. Personal liability insurance for L.A.F.D. Vehicle Operators?
- B. Group Legal Insurance?

E-Mail #18

LAFD'S New Driving Policy Could Signal the End of the Off-Set, Staggered Task Force Formation in Emergency Responses.

The Off-Set Formation and Its' Advantages:

The Los Angeles Fire Department has been touted as one of the premier fire departments in the country and one of the few which are capable of staffing task forces at many of its fire stations. The LAFD task forces consist of a 10-member crew who staff a truck, engine and 200-series engine. Currently, we have 47 task forces in the city and when dispatched to an emergency, they respond in what we have come to know as the staggered, off-set formation.

Some of the advantages of the off-set formation are actually explained in the proposed draft driving policy. Specifically, the draft policy, on page 4, states "[w]hen responding as a Task Force or with multiple units, which have joined together in response, visibility of Department apparatus can be increased if an "Off-Set" formation is used. This formation consist of the truck or lead apparatus positioning their vehicle in a manner that will create a visual awareness to the emergency vehicle's presence and intentions, the second apparatus on the left or right side of the lead apparatus, and the third apparatus, if present, behind and off-set from the second apparatus." The proposed draft policy further states that "[t]his tactic increases visibility and aids civilian drivers by making them aware that more than one apparatus is approaching." This formation creates little to no doubt what the task forces' intentions are; to take control of the entire street, from sidewalk to sidewalk. Furthermore, this formation allows most civilians to see and know exactly who, what and how many rigs are coming down the street.

Proposed Draft Policy with regard to Travel in Opposing Traffic Lanes:

In relevant part, the proposed draft driving policy reads as follows:

"... Whenever practical, apparatus should avoid traveling against traffic by allowing vehicles traveling in the same direction to yield the right-of-way. It may be necessary for an emergency vehicle to reduce speed or even stop to allow this to occur. If there is no way to proceed with the flow of traffic, travel against traffic is warranted with caution and shall not exceed a *maximum permissible speed of 20 miles per hour*. This will provide the emergency vehicle operator with a safety margin if an emergency stop becomes necessary.

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Conforming to the Draft Policy May Signal the End of the Off-Set Formation:

With the width of our apparatuses being approximately 8 feet or so, staggered task force convoys will typically require one or more of the rigs to cross over into opposing traffic lanes. With the proposed policy specifically stating that all emergency vehicles traveling against traffic shall not exceed a maximum speed limit of 20 mph, it is quite conceivable that a three apparatus task force will fall out of a staggered formation rather easily. That is, with the truck leading the convoy and proceeding with traffic, it's foreseeable that the truck will leave the pump behind, and quite possibly the engine, too, once the pump and/or engine stagger over to opposing traffic lanes and as a result thereof, be forced to drastically reduce its' (their) speed(s) to 20 mph. Consequently, many, if not all of the advantages of the staggered off-set formation will be negated by this specific provision of the draft policy.

One impractical solution to this dilemma would be to request that the truck slow down so those emergency vehicles traveling against traffic can keep up and remain a part of the convoy. The draft policy actually states that the "apparatus driver of the truck has to operate in a manner that allows the engine/pump to remain relatively close to the truck both during routine operations and emergency responses as much as practical." Can you imagine a task force convoy coming down the street with red lights and sirens, and only traveling at a rate of speed which amounts to no more than 20 mph?

At one time, we were a fire department that emphasized "speed" in what we do. "Every second counts" was the motto throughout the drill tower and also, in weekend company drilling. "Speed" is a major factor which allows us to fight fire the way we do (i.e., aggressive interior fire attack with roof ventilation). If the new policy is implemented and buildings are therefore allowed to burn longer prior to fire department arrival, then we may have to re-think how we attack and fight fires.

Additional Consequences:

The subject provision which restricts emergency fire department vehicles to a speed of no more than 20 mph may do more harm than good. As previously stated, off-set formation allows for clear visibility of the fire department convoy and all the rigs that make up that particular convoy. Ending the off-set formation may result in some rigs not being seen by civilian vehicles because they were hidden behind the lead fire department apparatus(es) (e.g., the pump hidden behind both the truck and engine). If in fact this is true, then the department just might be creating a more dangerous situation than what it already has. Consequently, the department could be setting itself up for greater liability in the legal arena. It would be interesting to find out whether statistics exist on how many accidents involve pumps traveling in a convoy (versus trucks, the lead vehicle) and the reasons why these accidents occurred? Did someone not see the pump? If they didn't see the pump, why didn't they see it? Did the pump fall too far behind the rest of the convoy and therefore, did it fall out of sight from civilian vehicles?

Furthermore, the department offers classes to its' members which allow them to receive certifications in Driver/Operator 1A and 1B from the California State Fire Marshal. These classes are taught by LAFD personnel and follow basic guidelines set by the State Fire Marshal and the NFPA. The class teaches firemen, who are aspiring to be LAFD engineers, that when effectively operating an emergency vehicle, they must "anticipate" other drivers' likely actions and reactions on the road, along with possible defensive maneuvers. The class further teaches drivers that they need to look down their road of travel at least ¼ mile. This is what our young members are being taught in our very own department class. However, if the rigs are stacked, one behind the other, and not off-set, how can we expect the pump engineer to look down the road of travel ¼ mile when all he can really see is the back of the engine? Additionally, how can you expect the pump engineer to anticipate other drivers' actions, reactions, and possible defensive maneuvers when all he can really anticipate is the operation of the brake lights on the engine and/or truck? If the State Fire Marshal and NFPA are the standard, then we just might be falling below the standard should we choose to adopt the new draft policy.

Potential Legal Ramifications:

A traffic accident lawsuit usually comes in the form of a claim for negligence. There are 4 elements in a negligence claim for damages that must be plead and proved in order for the plaintiff to recover. These elements are: duty, breach of duty, causation (legal and proximate) and damages. For our intents and purposes, we will focus on the "duty" and "breach of duty" elements of a negligence lawsuit. Basically, all drivers owe a duty of reasonable care to the general public. In order to establish what the standard of care is that would be considered reasonable, attorneys, in jury trials, will often times employ expert witnesses (e.g., perhaps 3 or 4 emergency vehicle operators) to testify what they, as the reasonable emergency vehicle operator, would have done in like circumstances. (Odds are most emergency vehicle operators will testify that they drive faster than 20 mph when traveling against traffic, if allowed).

However, if a driving policy, which expressly states how fast you can drive when traveling against traffic, is implemented, then a court of law quite possibly could acknowledge that policy as the standard of care which governs all emergency vehicle operators in Los Angeles, irregardless of what other emergency vehicle operators (i.e., expert witnesses) would have to say. Plaintiff's counsel will no doubt argue that the driving policy is the standard of care (since it is suppose to govern all LAFD drivers) and therefore, if you stray from it, then you breached the standard of care and should be found liable in a claim for negligence. Perhaps the questions to ask (if you are a defendant) is whether you want a firm policy established as your standard of care for all possible driving scenarios, or whether you would rather have your peers (e.g., other emergency vehicle operators) testify as to what the standard of care should be for any individual case.

Furthermore, what happens when a driver, for whatever reasons, needs to go over the speed limit while traveling against traffic? What happens if the driver, who is driving against traffic, wants/needs to remain part of the convoy so he continues to drive at speeds which are comparable to the lead rig/truck and which is greater than 20 mph? Ultimately, what could happen is that the driver could be found to have violated the

driving policy and therefore, found to have breached the standard of care in a legal claim for damages based on negligence. The City of L.A. could subsequently make the argument that the driver, and not the City, should be personally liable because the driver acted outside his scope of employment when he decided to drive in a manner inconsistent with the draft policy. In essence, the driver could be left to 'fend for himself with no City backing or coverage.

Other methods which have been employed to determine the standard of care is the industry standard, customs and practices. In other words, what are other departments doing when it comes to responding emergency in multiple apparatus convoys? Are there other comparable departments that respond with 4 or 5 apparatuses out of a single station (i.e., Truck, Engine, Pump, Rescue Ambulance and 800-Series Ambulance)? If an industry standard does exist, are we deviating from it by not allowing our companies to travel in a staggered off-set formation? If there is deviation from the industry standard, then the City will need to be prepared to explain why they deviated from the industry standard, customs and practices if a lawsuit should arise as a result thereof. Additionally, the City may need to explain that the benefits of traveling only 20 mph in opposing traffic lanes far outweighs the benefits of the off-set formation (particularly in a lawsuit that alleges the pump could not be seen before it was hit by a civilian vehicle). Absent available data and a thorough study of that data, the provision in the draft policy limiting speed in opposing traffic lanes should not be implemented.

It's obvious that the staggered formation has many benefits. Unless it is shown that the advantages of the staggered formation are outweighed by the benefits of a policy which states that you can go no faster than 20 mph in opposing traffic lanes, then we are basically asking our drivers to choose, in emergency driving operations, between driving in a manner that maximizes safety or following a policy that does not produce maximum safety (so as to not incur personal liability). Data evidencing the subject provision in the proposed policy has greater benefits than the staggered formation should be gathered and thoroughly examined before change occurs. If an established driving policy is going to be changed, then there should be clear and convincing evidence which warrants change.

Possible Solutions

Perhaps the remedy is not to change the current driving policy which has so many benefits. Maybe it really isn't the fault of the LAFD members? Perhaps some, or most of the blame, should be put on the civilian drivers for failing to yield the right of way and/or failing to pull to the right. It's obvious that something needs to be done to minimize the accidents, but do we have to start by changing a very advantageous driving policy. Maybe more time and energy should be put on educating the public than on changing the driving policy. Yes, we do have our "pull to the right" campaign, but perhaps more needs to be done than magnetic posters on the side of the rigs? How about more time, energy and money invested in "pull to the right" campaigns in Spanish, Korean, Armenian, etc.

Maybe if we equipped LAFD rigs with the power to change signal lights, then the amount of accidents might decrease? In sum, there are other options which are available that may, in whole or in part, decrease the amount of accidents involving LAFD vehicles.

We need to first look at these other options to see how viable they are before we seek to dissect our current driving policy. Changing our driving policy should be a last resort. Ultimately, if our current policy is changed vis-à-vis the proposed draft policy, then our fire department will lose one of its most vital and important tools, "speed". As previously touched upon, by being fast, we are able to provide life-saving procedures to EMS patients at a much faster rate (let's not forget that it only takes approximately 4-6 minutes for irreversible brain damage to occur in patients suffering from a full arrest). Furthermore, by being fast, we are able to aggressively fight structure fires. Lastly, by being fast, we are able to provide more safety at fires to ourselves and the public before those fires get out of control.

Exhibit 3

Los Angeles Fire Department Chief Officer Input

**Reference
In Draft
Document**

Response 1. The proposed policy as written is fine. Our current policy 2/1.07-06 coupled with rigorous enforcement is better. If we lack the will to hold members accountable to a half-page policy, then it seems unreasonable to assume that we are now going to enforce a multi-page policy. In return we now expose the organization and our drivers to increased liability by virtue of a punch list of potential wrongdoings.

Page 10, F1

Response 2. I really saw little problems with this bulletin however, the one issue I want to address that I thought had been decided and agreed to leave alone was on the last page, (F.), (1), "A Battalion Commander from an adjacent Battalion will be dispatched to conduct the accident investigation." My understanding was that this policy was changed to reflect that the "Administrative Battalion Commander" would be responsible for handling their respective accident investigations. Numerous related issues were raised when the policy reflected the neighboring battalion. It would be great if the Department would clarify this policy including justifications or pros and cons for either decision.

Page 2, B5

Response 3. Page 2 No. 5 "...shall be responsible for drivers under their command. The former assumes the member is in the Captain's command. If one or the other is SOD under one's command is more correct.

Page 8

Do not use ALL CAPITALS in the Emergency Vehicle Operation Matrix. It is more difficult to read than regular sentence case. My open only. (opinion)

Page 10, F1

I thought B/C's would only go on certain accidents not all. Maybe things have changed>

That's all I have.

Page 3, C2

Response 4. Have we thought about a simple "test" in either a Battalion or Division prior to full implementation? I volunteer....From what I have observed, when you are going the speed limit, you are routinely passed by other drivers; therefore let's not respond emergency and really limit our exposure...It still seems that we are really exposing our drivers to litigation by placing the numbers in the policy....

Page 10, F1

Response 5. We stopped sending the BC from the adjacent Battalion for TA Investigations and are now back to sending the Admin. BC like we were. In that, it was counter productive and impacted service. For example, Battalion 12 is investigating an accident in 15 or 14 and an alarm comes for the Battalion 12 Mutual Threat Zone (MTZ). Consequently, Battalion 14 or 15 were dispatched into Battalion 12 and arrive with a lower level of MTZ experience and pre-fire knowledge.

Additionally, accident reports were significantly delayed because the investigating BC had difficulty in getting accident reports from personnel assigned to adjacent Battalion. And, when corrective action was required, the investigating BC had to involve the administrative BC anyway.

Page 10, F1

Response 6. The direction that a Battalion Chief from an adjacent Battalion will conduct the investigation of an accident is a poor idea. It eludes to a belief that BC's cannot be objective in an investigation. You are sending a poor message.

Page 10, F3

Response 7. Looks good, will Risk Management be assuming the responsibility of the Department's litigation officer and working with the City Attorney in these matters? Currently, I am doing it for the litigation piece in the equation.

Response 8. A lot of great information. Suggested additions highlighted in yellow, deletions in double overstrike. My basic concern are the limits to specific speeds. Too small a box for both the operator and the Department.

Excerpts from the draft document with Chief Leydecker's input:

Page 3, #2

2. Speed of Response

City Streets:

When Los Angeles Fire Department vehicles are responding emergency on City streets, the maximum speed permissible shall be consistent with the Basic Speed Law.

Page 4, #4

Whenever practical, apparatus should avoid traveling against traffic by allowing vehicles traveling in the same direction to yield the right-of-way. It may be necessary for an emergency vehicle to reduce speed or even stop to allow this to occur. If there is no reasonable way to proceed with the flow of traffic, travel against traffic is acceptable with caution and shall not exceed speed that

would allow an emergency stop if any other vehicle presents an unexpected hazard.

Page 4, #4

REMEMBER: Drivers will not normally look in their rear-view or side-view mirrors when turning left or when negotiating a U-turn. Department drivers shall pay particular attention to these individuals and their vehicles. Is the individual looking in their mirrors for you and do they see you? Are the brake lights of their vehicle on or off? Are the front wheels turned or turning?

2. When using the center median or opposing traffic lanes to approach a controlled intersection (green traffic signal light), the driver must slow the vehicle to a speed that will enable the driver, if necessary, to bring the vehicle to a complete stop before entering the intersection. Do not proceed into the intersection until all lanes of traffic have been accounted for, and all vehicles and/or pedestrians have granted the right-of-way to the emergency vehicle. This may require more than one stop in an intersection.

Page 8

SPEED OF RESPONSE	NO PERSON SHALL DRIVE A VEHICLE AT A SPEED GREATER THAN IS REASONABLE OR PRUDENT HAVING DUE REGARD FOR WEATHER, VISIBILITY, TRAFFIC ON, AND ROAD SURFACE.
TRAVEL IN ONCOMING TRAFFIC LANES (IN OPPOSING TRAFFIC)	TRAVEL IN A LANE THAT PROVIDES MAXIMUM SAFETY AND VISIBILITY THAT WILL ALLOW FOR DEFENSIVE ACTION AND, IF NECESSARY, TO COME TO A COMPLETE STOP.
INTERSECTIONS WITH GREEN TRAFFIC SIGNAL LIGHT OR NO STOP SIGN (IN OPPOSING TRAFFIC)	PROCEED AT A - THAT WILL ALLOW FOR DEFENSIVE ACTION AND, IF NECESSARY, TO COME TO A COMPLETE STOP
INTERSECTIONS WITH GREEN TRAFFIC SIGNAL LIGHT OR NO STOP SIGN (WITH TRAFFIC)	PROCEED AT A SPEED THAT WILL ALLOW FOR DEFENSIVE ACTION AND IF NECESSARY COME TO A COMPLETE STOP

Page 10, #7

Los Angeles Fire Department vehicles shall be operated in a manner that provides for the safety of all persons and property. The key element to safe driving is awareness, efficiency and consistency, not how fast you drive. Do not allow the urgency of the situation to override your prudent judgment in the

handling of the emergency vehicle. Safe arrival shall always have priority during an emergency response.

Page 5, #5 Page 5, 5 Formation Response or Convoy Response

Needs to be more emphasized and specific. The accidents we have to worry about are the more serious ones involving injury or death. It seems that our worst accidents involve the Light Force emergency responses. The pump attempting to catch up, or stay up with the truck (204, 289, 215). This occurs for various reasons; the pump has to assure the apparatus doors are secured, or they're worried about losing the truck because they are not sure of the address or response route, or the pump was well behind the truck before the response came in, or they're split up for other reasons. The apparatus driver of the truck has to operate in a manner that allows the pump to remain close to the truck both during routine operations and emergency response as much as practical (close enough so that the public knows there is more than one apparatus. During non emergency routine duties, the truck should slow or pull over anytime the pump begins lagging behind (one block?). Apparatus operators along with the Company Commander must be held accountable to assure a proper convoy when practice.

Perhaps a statement in this draft to improve this common, potentially hazardous practice may help in minimizing at least the more serious accidents.

Response 9. Couple comments.

Page 1 1. Page 1, last paragraph. Add CVC section you are referring to in text so it is consistent.

Page 8 2. Page 8, get rid of the table format and use bulleted statements. It is much easier to read. Do we really need a "matrix"? Why not just an "overview" or "reference"?

Overall impression:

Based on the statistic on page 1, it looks to me that we are getting better. Numbers are lower for 2005 then the 5-year average. How do these numbers compare to previous years, say like 10, 15 and 20 years ago? And how does this look when compared to number of responses and miles driven?

How do we compare to the accident average of the public based on miles driven? Lastly, it would be nice to have some sort of text representation or

"overview" of what our accidents are. Somewhat like the disciplinary action document.

Sorry, my message got clipped but what I wanted to say about the "average" numbers is that the statistics stated tend to indicate that our current efforts in regards to driving are having an effect. Or at least that is indicated by the statistics. Is that no so?

In a perfect world our goal would be zero accidents, but clearly, that is not possible. My point is that we have only been really hitting the driving issue hard for the last couple years, and we are in fact seeing a down trend of accidents, at least as indicated by the statistics that I see.

Are we being pre-mature (or late, all depends how you look at it) putting out a written policy like this at this point? I really don't see anything in the draft policy that I disagree with, based on my experience (which as an engineer is considerable) almost all of it is in other, older documents. And what is not, is pretty common sense.

Page 2, A2

I like the statement on page 2, A-2. "super cedes contradictory driving policies" blah, blah and so on. I might suggest rework the statement to say "super cedes ALL previous policies" with the intent to consolidate into a common document. A one-stop shop, so to speak on driving policy.

That's it!

Page 2, A2

Response 10. On page 2, section A, #2, I would remove the word "contradictory". Does this policy supercede all previously issued emergency driving policies or only those that contradict it? Also is this bulletin about 'Emergency Driving' as the heading states or "emergency vehicle-driving" as the language in #2 states? There is a difference.

Does this bulletin constitute the foundation of our driving policy (with additional restrictions for specific situations delineated in Book #8) or is it the defacto policy? This is too vague and needs to be clarified.

On page 1, paragraph 2, line 4, the word average is misspelled.

As part of the Departments overall approach to managing this issue, I advocate the installation of 'dash board cameras' in our apparatus.

Much in the same way an automatic vehicle locating devices improve driver accountability, the mere presence of a camera changes driving behavior and provides the Department with documentation that is currently garnered through witness statements and forensic investigation. It is an outstanding management tool.

Response 11. After having spent considerable time with Castro on the engine 215 TA Hearing and as a member of a current TA Workgroup, I have two concerns:

Page 4, #4

1. Travel in opposing lanes. "20 mph OR a speed of less than 20 mph that would allow an emergency stop if any other vehicle presents an unexpected hazard" is too vague.

In the 215 TA, should the stationary vehicle in the left hand turn lane been considered an unexpected hazard? if so what would have been an acceptable speed? I think this aspect of the policy needs to be clarified/refined/made more specific.

Page 10, F4

2. Section F. Accident Invest Procedures...This info is incorrect. Admin BCs are once again investigating their TAs. Also the Workgroup will be recommending that Division make the decision as to a hearing or not.

Response 12. I made some suggestions on the attached document in Blue. Some are minor grammatical stuff, but I also felt you were lacking some information regarding avoiding problem areas on response and I added some specifics to explain how a driver should drive to "create a visual awareness to the emergency vehicle's presence and intentions." which appears on my page 4.

Thanks for the opportunity to provide input.

Please give me a call if you have any questions about my input.

Excerpts from the draft document with Chief input:

Page 1

The hazards associated with emergency response and emergency vehicle driving present a constant risk to the safety of Department members and the public. The goal of this emergency response policy is to ensure the safety of the public and Fire Department members.

Nationwide traffic collision statistics indicate that accidents involving fire department emergency vehicles are on a steady rise.

Over the past 5 years (2001-2005) the number of vehicular traffic collisions documented by the Los Angeles Fire Department (LAFD) averaged 287 accidents per year. Included in the annual average are 45.8 accidents occurring at intersections of which 5.3 were head-on collisions. In the year 2005 the LAFD was involved in 283 accidents: 39 of those occurred at an intersection and 4 were head-on collisions.

Page 1

Many of these traffic collisions were of minor consequence, but many of the documented collisions occurred at roadway intersections or while driving against traffic, with nearly 20 percent of those accidents resulting in injury to Fire Department personnel or the public. Among the factors contributing to this increase were: the escalating number of vehicles using the roadways of Los Angeles; the dramatic increase in emergency responses of the Fire Department; a lack of responsible driving by members of the public; and vehicle enhancements which diminish a driver's awareness level, including fully enclosed cabs, larger blind spots and larger, heavier apparatus.

Page 2

1. This policy supersedes all emergency vehicle-driving policies of the Los Angeles Fire Department dated prior to this bulletin.

5. All Officers shall ensure the rigorous enforcement of the procedures contained herein, and shall be accountable for the actions of drivers under their command.

3. Plan Your Response

Page 3

Many accidents can be avoided by avoiding problem areas where visibility is reduced and where apparatus is restricted by physical barriers. Avoid responding on streets with medians that apparatus cannot cross over, such as curbed medians or landscaped medians. Avoid intersections where buildings or trees obstruct your view of cross traffic.

4. Traffic Lane Placement while Responding

During emergency response, the Fire Department apparatus driver should position their vehicle in a manner that will create a visual awareness to the emergency vehicle's presence and intentions, as well as providing the emergency vehicle driver with increased visibility to traffic conditions ahead. This is best accomplished by driving in the #1, or left lane of travel, with the apparatus positioned slightly to the left of the normal driving position so that the driver is placed over the centerline of the street.

This accomplishes the following: The apparatus still maintains control of the position in the lane and can move back into the lane as needed.

The apparatus is visible to drivers from a long distance, allowing other drivers to notice it and recognize sooner that it is responding emergency.

Drivers in front of the apparatus are more likely to see the apparatus in their rear-view mirrors and recognize that it is responding emergency. The apparatus driver has greater visibility from this position.

Page 4, #2

2. When using the center median or opposing traffic lanes to approach a controlled intersection (green traffic signal light), the driver must slow the vehicle to a maximum permissible speed of 15 miles per hour or a speed that will enable the driver, if necessary, to bring the vehicle to a complete stop before entering the intersection. Do not proceed into the intersection until all lanes of traffic have been accounted for, and all vehicles and/or pedestrians have granted the right-of-way to the emergency vehicle. This may require more than one stop in an intersection.

(ADD A BLANK LINE HERE)

Page 4, #2

3. When using the center median or opposing traffic lanes to approach a controlled intersection against the right-of-way (red traffic signal light; stop or yield sign), the driver will bring the vehicle to a complete stop. Do not proceed into the intersection until all lanes of traffic have been accounted for and all vehicles and pedestrians have granted the right-of-way to the emergency vehicle. This may require more than one stop in an intersection.

5. Formation Response or Convoy Response

When multiple units are responding, as in a Task Force or Light Force configuration response or an Engine and a Rescue Ambulance, remaining in a convoy will increase the visibility and safety of response. It will be incumbent on the driver of the first vehicle to maintain a reasonable speed to allow the apparatus following behind to remain in the convoy. In addition the driver of the vehicle who has control of an intersection should maintain control of the intersection as the next apparatus is entering the intersection. Apparatus are only considered in a convoy if they enter the intersection before the apparatus in front of them leaves the intersection.

Page 7

Emergency Warning Devices

1. To legally function as an emergency vehicle, Section 21055 CVC requires the following:
 - ♦ The vehicle must be responding to an emergency incident, emergency move-up, or engaged in rescue operations (transporting patients).

Exhibit 4
Los Angeles Fire Department

Bulletin No. 06-

April 16, 2006

DRAFT

TO: All Members

FROM: A. P. Fox, Deputy Chief, Operations

SUBJECT: LAFD EMERGENCY VEHICLE OPERATING PROCEDURES

The hazards associated with emergency response and emergency vehicle driving present a constant risk to the safety of Department members and the public. The goal of this emergency response policy is to ensure the safety of the public and Fire Department members.

Nationwide traffic collision statistics indicate that accidents involving fire department emergency vehicles are on a steady rise. Over the past 5 years (2001-2005) the number of vehicular traffic collisions documented by the Los Angeles Fire Department (LAFD) averaged 287 accidents per year. Included in the annual average are 46 accidents occurring at intersections of which 5 were head-on collisions. In the year 2005, the LAFD was involved in 283 accidents: 39 of those occurred at an intersection and 4 were head-on collisions. Many of these traffic collisions were of minor consequence, but many of the documented collisions occurred at roadway intersections or while driving against traffic, with nearly 20 percent of those accidents resulting in injury to Fire Department personnel or the public. Among the factors contributing to this increase were: the escalating number of vehicles using the roadways of Los Angeles; the dramatic increase in emergency responses of the Fire Department; a lack of responsible driving by members of the public; and vehicle enhancements which diminish a driver's awareness level, including fully enclosed cabs, larger blind spots and larger, heavier apparatus.

Members driving Fire Department apparatus are responsible for driving safely at all times. When an LAFD driver is under the direct supervision of a Company Officer, that officer shares responsibility and accountability for the overall safe operation of the vehicle. Battalion Commanders are responsible and accountable for ensuring the safety of assigned members through appropriate communication and training of LAFD policies. Apparatus traveling either emergency or non-emergency shall be operated with due caution, with particular emphasis placed on defensive driving.

Vehicles shall be operated in compliance with the policies and procedures of the Los Angeles Fire Department and the California Department of Motor Vehicles (DMV) Code. The DMV Code provides specific legal exceptions for emergency vehicles responding to an emergency (Code 3), working at an emergency incident, or transporting a patient "emergency" to an emergency medical facility. Emergency response does not relieve the emergency vehicle driver of the responsibility to drive with due caution. The driver of the emergency vehicle is responsible for its safe operation at all times.

EMERGENCY DRIVING

A. Purpose

1. To establish procedural guidelines that will allow for a safe and timely response while complying with the policies and procedures of the Los Angeles Fire Department, the California Vehicle Code (CVC), and the National Fire Protection Association (NFPA).
2. This policy supersedes all previous emergency vehicle-driving policies of the Los Angeles Fire Department dated prior to this bulletin.
3. Additional information concerning apparatus placement, emergency and non-emergency driving can be found in the Driver Training Manual (Book 8). The Driver Training Manual will be revised to reflect this policy.

B. Accountability

1. Every Los Angeles Fire Department sworn and civilian employee driving any City-owned Fire Department vehicle is responsible to read, understand, and abide by the information contained herein.
2. It is the responsibility of each driver of a Los Angeles Fire Department vehicle to drive safely and defensively at all times. Emergency response does not relieve the driver of the responsibility to drive with due caution. *"No person shall drive a vehicle upon a roadway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed which endangers the safety of persons or property." (CVC 22350)*
3. *"The driver of an emergency vehicle is directly responsible for the safe and prudent operation of the vehicle under all conditions." (NFPA 4-2.3)*
3. All members riding on the emergency vehicle shall assume a responsibility to assist the driver in the safe operation of the vehicle.
4. All Officers shall ensure the rigorous enforcement of the procedures contained herein, and shall be accountable for the actions of drivers under their command.
6. Apparatus drivers shall: at all times, drive and operate apparatus in a safe manner, with due regard for the welfare of the public and the Department. (Rules and Regulations Section 8 a.)

C. Emergency Vehicle Operation

1. Right of Way

According to California Vehicle Code the use of a siren and warning lights does not automatically give the right-of-way to the emergency vehicle. These devices simply request the right-of-way from other drivers, based on their awareness of the presence of an emergency vehicle. Emergency vehicle drivers must make every possible effort to make their presence and intended actions known to other drivers and must drive defensively to be prepared for the unexpected, inappropriate actions of others. (CVC 21807)

2. Speed of Response

City Streets:

When Los Angeles Fire Department vehicles are responding emergency on City streets, the maximum speed permissible shall be consistent with the Basic Speed Law and shall not exceed the posted speed limit.

Freeways:

When freeways are used as a response route, the existing road and traffic conditions must be evaluated to determine the safest vehicle operating speed, as well as the most appropriate use of the emergency vehicle's warning devices. If the emergency vehicle's warning devices are not used, the vehicle shall be operated as a non-emergency vehicle and follow all laws and rules of the road.

Basic Speed Law (CVC 22350):

"No person shall drive a vehicle upon a roadway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed which endangers the safety of persons or property." With the Basic Speed Law as a consideration, during inclement weather or hazardous road conditions, apparatus shall be driven at a reduced speed as conditions dictate, and at no time exceed the speed limit. Drivers are responsible to realize that under these conditions, the designated speed limit may not be reasonable or prudent for safe operation of the vehicle.

3. Plan Your Response

Many accidents can be avoided by avoiding problem areas where visibility is reduced and where apparatus is restricted by physical barriers. Avoid responding on streets with medians that apparatus cannot cross over, such as curbed medians or landscaped medians. Avoid intersections where buildings or trees can obstruct your view of cross traffic.

4. Traffic Lane Placement while Responding

During emergency response, the Fire Department apparatus driver should position their vehicle in a manner that will create a visual awareness to the emergency vehicle's presence and intentions, as well as providing the emergency vehicle driver with increased visibility to traffic conditions ahead. Civilian traffic in the path of an emergency vehicle shall be given adequate time and distance to move to the right and yield the right-of-way. This is best accomplished by driving in the #1, or left lane of travel, with the apparatus positioned slightly to the left of the normal driving position. This accomplishes the following: The apparatus maintains control of the position in the lane. The apparatus is visible to drivers from a further distance, allowing other drivers to notice the apparatus and recognize sooner that it is responding emergency. Drivers in front of the apparatus are more likely to see the apparatus in their rear-view mirrors and recognize that it is responding emergency. The apparatus driver has greater visibility from this position. When responding as a Task Force or with multiple units, which have joined together in response, visibility of Department apparatus can be increased if an "Off-Set" formation is used. This formation consists of the truck or lead apparatus positioning their vehicle in a manner that will create a visual awareness to the emergency vehicle's presence and intentions, the second apparatus on the left or right side of the lead apparatus, and the third apparatus, if present, behind and off-set from the second apparatus.

5. Travel in Opposing Traffic Lanes

Emergency operation allows the emergency vehicle to move out of normal traffic lanes and cross over into opposing lanes of travel. Travel against the normal flow of traffic creates a greater risk potential for the emergency vehicle operator. Civilian drivers do not expect to see a vehicle going the wrong way on their side of the road. This often causes confusion, resulting in unexpected, inappropriate actions by the civilian driver. For this reason, the emergency vehicle operator has a responsibility to make every effort to create an awareness of their presence, and to make their intended actions clear to the other driver.

Whenever practical, apparatus should avoid traveling against traffic by allowing vehicles traveling in the same direction to yield the right-of-way. It may be necessary for an emergency vehicle to reduce speed or even stop to allow this to occur. If there is no way to proceed with the flow of traffic, travel against traffic is warranted with caution and shall not exceed a **maximum permissible speed of 20 miles per hour**. This will provide the emergency vehicle operator with a safety margin if an emergency stop becomes necessary.

REMEMBER: Drivers will not normally look in their rear-view or side-view mirrors when turning left or when negotiating a U-turn.

Guidelines for emergency vehicle travel in oncoming traffic lanes:

1. Travel in a lane that will provide maximum safety and visibility with room to maneuver should another vehicle present an unexpected hazard. Return to normal traffic lanes as soon as traffic conditions allow.
 2. When using the center median or opposing traffic lanes to approach a controlled intersection (green traffic signal light), the driver must slow the vehicle to a **maximum permissible speed of 15 miles per hour** or a speed that will enable the driver, if necessary, to bring the vehicle to a complete stop before entering the intersection. Do not proceed into the intersection until all lanes of traffic have been accounted for, and all vehicles and/or pedestrians have granted the right-of-way to the emergency vehicle. This may require more than one stop in an intersection.
 3. When using the center median or opposing traffic lanes to approach a controlled intersection against the right-of-way (red traffic signal light; stop or yield sign), the driver will bring the vehicle to a complete stop. Do not proceed into the intersection until all lanes of traffic have been accounted for and all vehicles and pedestrians have granted the right-of-way to the emergency vehicle. This may require more than one stop in an intersection.
6. Formation response or Convoy response

When multiple units are responding, as in a Task Force or Light Force configuration response (or an Engine and a Rescue Ambulance), remaining in a convoy will increase the visibility and safety of the response. It is incumbent upon the driver of the first vehicle to maintain a reasonable speed to allow the apparatus following behind to remain in the convoy. In addition the driver of the vehicle that has control of an intersection should when possible maintain control of the intersection as the next apparatus is entering the intersection (apparatus are only considered in a convoy if they enter the intersection before the apparatus in front of them leaves the intersection). While operating in a Light Force or Task Force configuration particular attention should be paid by all drivers to apparatus spacing. The apparatus driver of the truck has to operate in a manner that allows the engine/pump to remain relatively close to the truck both during routine operations and emergency response as much as practical. This tactic increases visibility and aids civilian drivers by making them aware that more than one apparatus is approaching. During non-emergency routine duties, the truck should slow or pull over if the pump is delayed or begins lagging behind (i.e. more than one city block).

Apparatus operators, along with the Company Commander, should ensure the existence of a proper convoy when practical.

7. Intersections

Drivers shall approach all intersections with a reduced speed that will allow for the observation and reaction to approaching vehicles, pedestrians, or other emergency vehicles.

When approaching and crossing an intersection, all emergency vehicle lighting and a siren shall be operated continuously. If traffic conditions dictate discontinuing the use of the siren, the vehicle shall proceed as a non-emergency vehicle and follow all laws and rules of the road.

When approaching and crossing an intersection while traveling in normal traffic lanes with the right-of-way (green traffic signal light; no stop sign), the emergency vehicle driver shall proceed through the intersection at a speed that will allow for defensive action and/or to safely stop the vehicle if necessary.

When approaching and crossing a controlled intersection against the right-of-way (red traffic signal light, stop, or yield sign), the driver shall bring the vehicle to a complete stop. Do not proceed into the intersection until all lanes of traffic have been accounted for and all vehicles and pedestrians have granted the right-of-way to the emergency vehicle. This may require more than one stop in an intersection.

When apparatus are responding as a convoy and the first apparatus of the convoy is approaching a controlled intersection against the right-of-way (red traffic signal light, stop, or yield sign), the driver of that apparatus shall bring the vehicle to a complete stop. That apparatus will not proceed into the intersection until all lanes of traffic have been accounted for and all vehicles and pedestrians have granted the right-of-way to the emergency vehicle. This may require more than one stop in an intersection. The remaining apparatus of the convoy shall slow down and proceed through the intersection with caution. Apparatus of the convoy shall maintain safe proximity to ensure control of the intersection.

If continuity is not maintained and the lead vehicle departs the intersection, the remaining apparatus will be considered a single unit and the driver shall bring the vehicle to a complete stop. That apparatus shall not proceed into the intersection until all lanes of traffic have been accounted for and all vehicles and pedestrians have granted the right-of-way to the emergency vehicle. This may require more than one stop in an intersection.

8. Blocked Intersections

The use of emergency vehicle warning devices at blocked (impassable) intersections must be prudent and with due consideration for all road and traffic conditions. Preplanning your anticipated travel route to account for potential blocked intersections and acting accordingly will help prevent delays caused by blocked intersections. When blocked intersections cannot be avoided, refrain from forcing a civilian vehicle into an intersection. If the apparatus driver cannot safely clear a path for the emergency vehicle, discontinue the use of the siren and air horn until the traffic light changes. If the civilian drivers voluntarily clear a route for the emergency vehicle, resume emergency response.

9. Passing on the Right

If a civilian vehicle stops in the path of a responding emergency vehicle and no alternative means of passing exists, the civilian vehicle may be passed on the right, once it is established that the civilian vehicle has completely stopped.

The emergency vehicle driver must allow for sufficient clearance and slow to a speed that will allow the emergency vehicle to make a safe defensive maneuver or stop if necessary.

D. Emergency Warning Devices

1. To legally function as an emergency vehicle, Section 21055 CVC requires the following:

- ♦ The vehicle must be responding to an emergency incident, emergency move-up, or engaged in rescue operations (e.g. transporting patients).
- ♦ The vehicle to exhibit a lighted red lamp visible from the front of the vehicle at a distance of 1,000 feet.
- ♦ A siren to be sounded as is reasonably necessary as a warning to other drivers and pedestrians.

NOTE: A siren shall not be sounded by an authorized emergency vehicle except during emergency response as required by Section 21055 CVC.

2. The following additional warning devices shall be utilized during emergency response, if the vehicle is so equipped:

- ♦ Headlamps, steady burning, or "wig-wag"
- ♦ All flashing, circulating lights, and/or strobes
- ♦ Air horn sounded, as necessary

Exhibit 5

Los Angeles Fire Department Accident Statistics

Total Accidents During Response				
Year	Emergency	*#Opposing Traffic	Non-Emergency	Total
2001	149	8	69	218
2002	138	5	76	214
2003	109	11	77	186
2004	132	8	78	210
2005	127	12	71	198

* Represents the number of accidents during emergency response while opposing traffic or crossing into opposing traffic other than at an intersection.

Head on Collisions During Response			
Year	Emergency	Non-Emergency	Total
2001	4	0	4
2002	6	1	7
2003	5	3	8
2004	1	1	2
2005	3	3	6

Intersection Accidents During Response				
Year	*Emergency Against Traffic	**Emergency with Traffic	***Non-Emergency with Traffic	Total
2001	3	23	9	35
2002	2	20	11	33
2003	5	20	9	34
2004	3	17	6	26
2005	4	16	9	29

* LAFD apparatus responding emergency to an incident involved in accident while opposing traffic or crossing into opposing traffic at an intersection.

** LAFD apparatus responding emergency to an incident involved in accident while traveling with traffic (e.g. driving straight, merging, left or right turn, slowing, stopped, or spotting to a hydrant) at an intersection.

*** LAFD apparatus responding to an incident non-emergency involved in accident (e.g. driving straight, merging, left or right turn, slowing, stopped, or spotting to a hydrant) at an intersection.

Note: Statistical data obtained from Los Angeles Fire Department Accident Report Form (F-150).

City Claims and Liability: From 1997 to 2004, claims against the Los Angeles Fire Department incurred by the City totaled **\$13.7 million** of that **\$4.8 million** resulted from traffic collision claims.