

OPERATION OF EMERGENCY CREW TRANSPORTS (ECT)

6557

(No.21 May 2016)

Responsibility

CAL FIRE Staff

This section is a brief digest of laws, regulations, and statements of policy, that govern Emergency Crew Transports (ECT's) and crew carrying vehicles, CCV's.

ECT's and CCV's are **regulated vehicles** (Type I Bus). They must be constructed, maintained, equipped, and operated in accordance with the California Vehicle Code (CVC), Title 13 of the California Code of Regulations (13 CCR), certain provisions of Title 49 of the Code of Federal Regulations (CFR 49), and policy established by the Directors of CAL FIRE and CDCR.

Crew Carrying Vehicles

Currently, by CAL FIRE policy, no crew-carrying vehicle (CCV or bus) will have the status of emergency vehicle. An emergency vehicle is any motor vehicle equipped, and approved to operate with the use of red lights and siren while responding to an emergency call.

Emergency Crew Transport

Emergency Crew Transports (ECT) are defined as crew carrying vehicles equipped with CAL FIRE approved and Department installed code three equipment, (red lights and siren).

DRIVER'S LICENSES

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CAL FIRE Staff

A crew carrying vehicle (CCV) or an emergency crew transports (ECT) is a regulated (commercial) vehicle. However, the Department of Motor Vehicles (DMV) has ruled that CAL FIRE's CCVs and ECT's are "firefighting equipment," for purposes of licensing operators. Drivers possessing a Class C driver's license and a Restricted Firefighter License (RFFL) may operate a CCV or ECT. The RFFL must have a passenger endorsement, and must not have air brake, standard transmission, or gross vehicle weight (GVW) restrictions. Additionally, the licensee must have a current medical questionnaire on file with DMV. The RFFL will expire four years after it is obtained on the birthday of the licensee, but the medical questionnaire must be resubmitted to the DMV every two years.

Those drivers of CCV's or ECT's who are not firefighters, or those drivers of CCV's and ECT's who are firefighters, but who operate regulated vehicles that are not classified as firefighting equipment, must possess a **Class B Driver's License**, or better, meeting the same standards as above, along with a current medical certificate (CVC 15260, 15275(2), 12804.9). Drivers who hold a commercial driver's license (not the RFFL) must possess a current medical certificate and, if driving regulated non-firefighting equipment, must be enrolled in the Department's random drug-testing program. CHP will no longer be checking CCV or ECT drivers' records for Controlled Substances and Alcohol Testing (CSAT or random drug testing) participation during terminal inspections.

Fire Captains holding a Class B license that will be converting to the RFFL, may do so as their current license expires or when their medical certificate expires, whichever occurs first. These individuals are no longer expected to remain in CSAT as long as they do not drive regulated non- firefighting vehicles.

Unit Chief

It is the responsibility of the Unit Chief to specify how many Fire Crew Captains in each of his or her conservation camps will be required to maintain a commercial driver's license. This decision may be based on whether non-firefighting, regulated vehicles are assigned to the camp. Examples of vehicles requiring higher classes of license are transports, insect control vehicles, six-passenger stakesides, three-axle dump trucks, mobile-kitchen-unit tow vehicles, and others.

Fire Captains who are not selected for continuation of their Class B license by CAL FIRE but choose to do so for their own reasons, are responsible for maintaining it on their own.

PULL NOTICES

6557.2

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Responsibility

Division Chief

Unit Chief

Law requires CAL FIRE to obtain the public driving records (pull notices) of all personnel who have **commercial driver's licenses** every six months (the Restricted Firefighter License is not a commercial license). CAL FIRE is further required to review these records for any noted violations, convictions, failures to appear, accidents, driver's license suspensions, driver's license revocations, or any other actions taken against the driving privilege or certificate, added to the driver's record. They should be requested, received, reviewed, and retained at the conservation camp, for camp personnel, and CAL FIRE unit headquarters, for the other unit personnel. (CVC 1808.1) While pull notices are not required by law for holders of the RFFL, unit and/or camp administrators should continue to request, receive, review, and review the notices for all CCV and ECT drivers.

Relief driver pull notices should be requested and received by the CAL FIRE unit headquarters. They should be reviewed and retained for the required six months by an appropriate designee, as determined by the Unit Chief. Alternatively, they may be requested, received, reviewed, and retained by a designated conservation camp Division Chief.

MAXIMUM DRIVING AND ON-DUTY TIME

6557.3

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Responsibility

**Division Chief
CCV/ECT Operators**

Title 13 of the California Code of Regulations (13 CCR) has been amended to align California with certain commercial vehicle operation regulations contained in Title 49 of the Code of Federal Regulations. Among the regulatory changes affecting CAL FIRE's CCV and ECT drivers are 13 CCR, Section 1212, Drivers' Hours of Service, and Section 1212.5, Maximum Driving and On-Duty Time. **These regulations apply to all drivers of CCVs and ECT's** whether they hold a Commercial Driver's License or a Restricted Firefighter's License. The following statements reflect the nature of these sections of law.

DEFINITIONS

6557.3.1

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Responsibility

Division Chief ECT/CCV Operators

The following definitions are to be utilized in conjunction with this chapter. They are a collection of laws, regulations, interpretations, and policy.

"Adverse driving conditions" are defined in 13 CCR, Section 1201, and are limited to; snow, sleet, fog, other adverse weather conditions, a highway covered with snow or ice, or unusual road and traffic conditions.

"Related operations" encompass all activities performed in relation to one or more emergencies in progress. "Related operations" include activities such as move-up-and-cover, staging, and mobilization center assignments. However, a timed-out driver cannot legally drive a CCV or ECT for routine operations, such as to a work project, even if assigned to a mobilization center, move-up and cover assignment, or during a staffing pattern. The activity must be directly related to an emergency, or emergencies in progress.

"During emergency and related operations" has been defined as all activities relative to an emergency; beginning with assignment to activities related to an emergency in progress, and ending on return from these activities (as in back at the camp).

"Off Duty" is when an individual is relieved of work and any responsibility for performing work during scheduled days/hours off (uncompensated rest status).

"Ordered Rest" is when an individual is relieved of work and any responsibility for performing work during days/hours that the employee is scheduled to work or is otherwise on duty (compensated rest status). This term is used only in the context of driving regulations and has no effect on compensation. An example of ordered rest is standby at camp with no responsibilities for work, or at some other acceptable location, while maintaining availability for emergency dispatch. "Off Duty", "Ordered Rest", and "Off Duty (assigned)" are not counted as "Driving and on-duty hours" when calculating driving status.

"Off Duty (assigned)" is when an individual is relieved of work and any responsibility for performing work during assignment to an emergency operation (compensated rest status).

"Regular work day" is scheduled days/hours on duty.

"Regular day off" (RDO) is any time an individual is not scheduled to be working or available for dispatch.

“Reset” is the term used to identify the time when a driver, who has exceeded 80 hours of driving and on-duty time during his or her current eight-day period, achieves 24-consecutive-hours of rest (some of the excess hours must have resulted from emergency activity). This term is used only in the context of resetting the eight-day period.

"Timed-out" is used to indicate a CCV or ECT driver, during non-emergency operations:

1. With 80 or more hours of driving and on-duty time in eight consecutive days and not having reset the eight-day period with a 24-consecutive-hour period off duty, or
2. With 10 hours of driving, or 15 hours of on duty time, since his or her previous eight consecutive hours of rest while on non- emergency status.

POLICY ON DRIVING AND ON-DUTY HOURS

6557.3.2

(No.21 May 2016)

Responsibility

Division Chief CCV/ECT Operators

1. All CAL FIRE drivers shall comply with provisions of Title 13, California Code of Regulations, the California Vehicle Code, and applicable sections of Title 49, Code of Federal Regulations.
2. A driver will not operate a CCV or ECT when his or her ability to operate a vehicle safely is adversely affected by fatigue, illness, or any other cause (13 CCR 1214). All drivers are personally responsible for the safe operation of their vehicles.
Drivers shall place themselves out of service whenever they feel incapable of safely operating their vehicle.
3. Supervisors of CCV and ECT drivers, whether on emergency incidents or during routine operations, shall monitor fitness of the drivers to operate CCVs, and will place drivers out of service whenever they feel that the operator is incapable of safely operating the vehicle for any reason. Incident Commanders and their staffs, Agency Representatives, and Technical Specialists-Crews will assure that relief drivers are available and utilized whenever needed and in compliance with this chapter.
4. No supervisor should question the judgment of a driver who has removed himself or herself from driving status.
5. No CCV or ECT operator is permitted to drive on non-emergency status for more than 10 hours (12 hours if adverse driving conditions, as defined, are encountered) since his or her previous eight-consecutive-hours of rest. To re-qualify for driving status after having exceeded this limitation, eight-consecutive-hours of rest must be recorded.
6. No CCV or ECT operator is permitted to drive on non-emergency status after

having been on duty for more than 15 hours since his or her previous eight-consecutive-hours of rest. To re-qualify for driving status after having exceeded this limitation, eight-consecutive- hours of rest must be recorded.

7. No CCV or ECT operator is permitted to drive on non-emergency status after having exceeded 80 hours of driving and on-duty time in the current eight-consecutive-day period. Included in the total are driving and on-duty hours worked on emergency and related operations. To re-qualify for driving status after having exceeded this limitation due to emergency activities, 24-consecutive-hours of rest or off-duty status must be recorded. After such rest or off-duty status, the driver's driving and on-duty hour totals are reset to zero. At the conclusion of the 24-hour period, the driver will note the event in his or her log book by placing an "8-day reset" notation on the "Remarks" line of the current day. Hours worked that day, subsequent to the reset, will constitute the hours counted for the first day of the next eight-day period.
8. From the time a CCV or ECT driver is assigned to an emergency or related operation, until he or she returns to routine operations, as in back at the camp, that driver is exempt from driving and on-duty hour regulation per 13 CCR 1212(j)(1). However, he or she shall not operate a CCV or ECT when fatigue makes it unsafe to do so or as follows in sub-sections nine, ten, and eleven.
9. CCV and ECT drivers being released from emergency operations, after exceeding any of the non-emergency driving and on-duty hour regulations, shall be given a minimum of eight hours of rest prior to leaving the incident regardless of their exempt status. Exceptions must be approved by the Incident Commander or the CAL FIRE Agency Representative. The exception and the approval will be documented on the driver's records. For the purposes of compliance with 13 CCR §1212(j) (2), the "termination of the emergency" shall coincide with the end of the last active duty shift on the incident. If a CCV/ECT driver has exceeded 80 hours of driving and on-duty time in the current eight-consecutive-day period and is scheduled for a period of "Off Duty (assigned)" rest prior to demobilization, every effort shall be made to provide for 24 or more consecutive hours of rest for the purpose of "Reset". The Strike Team Leader, Fire Crew Technical Specialist, Agency Representative and Planning Section Chief on the incident should facilitate this rest period to the extent feasible.
10. At the conclusion of an emergency, or related assignment, each CCV or ECT driver will calculate driving and on-duty hour accumulations, both emergency and non-emergency, to determine their driving status. Total driving and on-duty hours over the past 7 days subtracted from 80 reveals the number of hours of non-emergency driving status available for the current day.
11. Overtime hours resulting from the loss of driving status, including those paid to relief drivers or custodial personnel are chargeable to the emergency fund if the loss of driving status was a result of a fire emergency. The costs are coded to the emergency responsible for the greatest number of Fire Crew Captain on-duty hours. For custodial personnel to be reimbursed for coverage behind timed-out Fire Crew Captains, they must be reasonably necessary for watching "laid-in" crew members. The FC-33c must indicate the FC-B(s) on timed-out status creating the custodial necessity. These individuals' overtime can be reimbursed during normal

fire crew work hours only.

12. Timed-out CCV or ECT drivers, during their regular workday, may be placed on ordered rest at a location determined by the Division Chief, normally at the camp, at home, or some other location that complies with Section 8.8.3.2 of the Unit 8 Agreement(s). Rested but timed-out, CCV and ECT drivers may be worked on non-CCV or ECT-driving duty status, such as in camp, or when utilizing relief drivers to transport the crew to, or from, a work project. Those drivers worked, or retained in camp, on their normal days off will be compensated.

NOTE: For an example of calculating driving and on- duty hours, see Exhibit 6557.3, [Example of Eight Consecutive-Day Hourly Calculations](#).

DRIVER'S RECORD OF DUTY STATUS (LOG BOOKS)

6557.4

(No.21 May 2016)

Responsibility

Division Chiefs

CCV Operators

Automotive Specs

The Driver's Daily Log is a multi-purpose document that has been designed to comply with provisions of Title 13, California Code of Regulations, and with policy regarding:

1. Maintenance of records for driving and on-duty status of operators of regulated vehicles.
2. Documentation of inspections of regulated vehicles.
3. Production of the daily written reports required for each regulated vehicle.

Per CAL FIRE policy, all Fire Captains, Range B, all qualified Fire Captains, Range A (on conservation camp overtime lists), and all qualified CCV or ECT relief drivers, including those on the Emergency Resources Directory, shall maintain a log book at all times, including during emergency assignments. No driver shall operate a CCV or ECT without documentation of driving and on-duty status in his or her possession for the preceding seven consecutive days. Recording of consecutive periods of off-duty status may be consolidated onto one record. Failure to maintain documentation, as required by regulations contained in Title 13, can subject the driver and/or the department to prosecution and/or liability. CAL FIRE's version of the Driver's Daily Log (log) is produced by Salt Creek Conservation Camp. The log has been approved by the California Highway Patrol and will be utilized by CAL FIRE employees who drive CCV's and ECT's. For operator convenience, all entries are on the front of the form. It is constructed with an original (white) and two NCR paper copies (yellow and pink). The original is for the terminal (camp, unit, or air base, as appropriate). The yellow copy is the vehicle copy and remains with the vehicle during the following shift as proof of inspection and report. The pink copy remains with the operator for documentation of driving and on-duty hours.

DOCUMENTING DRIVING AND ON-DUTY HOURS

(No.21 May 2016)

6557.4.1

Responsibility

Division Chief

CCV or ECT Operators

To complete the Driver's Daily Log, enter the following information:

- Date
- Total miles today
- Vehicle number [X number]
- Name of carrier [CAL FIRE or name of any other carrier worked for]
- Driver's signature certifying entries
- Main office address [camp or other terminal] Home terminal [usually same as camp]
- Duty status [record location of each change] Remarks
- Inspection Report [check second box if significant safety defect or deficiency exists]
- Details of defects or deficiencies
- Driver's signature certifying Inspection Report [lower left corner]

Entries are to be current to last change of status and must be made by the driver in his or her own handwriting. The configuration of the graph grid indicates that CAL FIRE's 24- hour periods start at midnight. All driving and on-duty hour calculations will be based on that time base. Mark the appropriate line (1, 2, 3, or 4) at the appropriate time for each change of status and connect the marks with straight lines.

Off-duty time (uncompensated time) is recorded on Line #1 of the graph grid on the log. Driving and on-duty (not driving) hours are recorded on the second and third lines. Soft time (other compensated time, such as ordered rest, off- shift hours on an emergency incident, non-work hours during the regular duty week or during overtime assignments) is recorded on Line #4, "Off Duty (Assigned)". **NOTE:** The soft time hours recorded in Line #4 do not count toward the 80- hours-in-eight-days regulation or the daily driving and on- duty hour regulations.

The driver of a regulated vehicle must have, in his or her possession at any time they are operating the vehicle, copies of the Driver's Daily Log sheets for the previous seven consecutive days. Failure to keep, maintain, or produce on demand, the required records, exposes the driver and the Department to prosecution and liability.

For more detailed information regarding the recording of status and utilization of the graph grid, see California Code of Regulations, Title 13, Section 1213.

All emergency and related operational time will be identified by a notation in the "Remarks" section of the log book. Include an incident number in the notation.

If the driver has exceeded 80 hours in an eight-day period as a result of emergency activity and has completed 24- consecutive-hours of rest, a notation in the Remarks section will be made indicating "8-day reset". Hours worked during the balance of that day will count for the first day of the succeeding eight-day period.

Complete the log entries at the end of the shift. The white original is forwarded to the supervisor and is filed in the driver's files. The yellow copy remains on the vehicle for one shift and is then removed and filed in camp files for vehicle documentation. The pink copy remains with the driver.

Responsibility

CAL FIRE Staff

Vehicle Condition

It is unlawful to operate a vehicle that is not in safe operating condition or is not equipped as required by all provisions of law. A **Daily Inspection** must be conducted and documented, prior to operation that the vehicle is in safe condition, that it is equipped as required, and that all equipment is in good working order. On an emergency incident, a daily inspection is to be completed each 24 hours and on return to the terminal. (13 CCR 1215, CVC 34500.2)

Daily Report

49 CFR 396.11(a) requires that a Daily Report be submitted at the completion of the driver's work-day or tour of duty, indicating the condition of the vehicle and any defects and deficiencies likely to affect safe operation (critical item deficiency) or cause mechanical breakdown. Minimum parts and accessories to be covered by the report include but are not limited to:

- Air Lines
- Brakes (Emergency)
- Brakes (Parking)
- Brakes (Service)
- Horn
- Leaks
- Lights
- Oil Pressure
- Body
- Rear Vision Mirror
- Clutch
- Cooling System
- Reflectors
- Speedometer
- Defroster
- Steering System
- Drive Line
- Tires
- Engine
- Exhaust System
- Wheels and Rims
- Windows

- Frame
- Windshield Wipers
- Fuel Tanks
- Heaters
- OTHER

The report shall identify the vehicle, be dated, and be signed by the driver. A negative report shall be submitted if no deficiencies exist. The bottom half (Driver's Vehicle Inspection Report) of the CAL FIRE Driver's Daily Log, fulfills the function of this report. On completion of operation for the shift, complete the vehicle portion of the log, checking the appropriate box and identifying any defects or deficiencies in the lines provided. Sign the report in the lower left corner on the line provided. Remove the yellow copy and leave it with the vehicle for the next shift. It is then removed and filed at the camp.

Certification

If the box on the Driver's Vehicle Inspection Report is checked indicating the existence of a defect or deficiency constituting a safety or breakdown concern, all safety-related repairs must occur prior to operation of the vehicle (other than to a repair facility). When the indicated deficiencies have been corrected or repairs are determined not needed, the yellow copy will be checked in the appropriate box and certified by the supervisor or mechanic by signing on the "Mechanic's Signature" line. The operator for the next shift will review this document during the initial inspection and countersign on the "Driver's Signature" line provided toward the lower-right side of the form. If a defect or deficiency had been detected by the driver on a previous shift and has not been certified as corrected or unnecessary by a supervisor or mechanic, **the vehicle cannot be operated**, except to a repair facility without offender passengers.

Title 49 CFR 396.11(c)(3) requires that a legible copy of the last vehicle inspection report, certified as stated above, if required, must be carried on the vehicle. The current driver must countersign the report indicating review and agreement(s). On completion of the report at the end of the shift, replace the last report (yellow copy) with the current report and forward the old report for filing, as directed by the Division Chief, to be retained for a period of six months. If an automotive accident or incident occurs, any related reports will be retained for a period of two years.

RELIEF DRIVER GUIDELINES

6557.6

(No.21 May 2016)

Responsibility

All

In the interest of safety, and according to state law and CAL FIRE policy, as detailed above, when the operator of a crew carrying vehicle or emergency crew transport is unable to safely operate the vehicle, or cannot legally operate the vehicle, that operator must be relieved of CCV and ECT driving duties. The need for relief drivers may cause problems for incident managers who do not properly anticipate incident needs. Crew coverage can also be impacted when CCV and ECT operators transition from emergency operations to non-emergency operations following extended assignment.

In order to meet the operational need for relief drivers, each CAL FIRE unit should have several qualified relief drivers listed in its Emergency Resources Directory (ERD). Qualified relief drivers may be recruited from several sources. Retired Fire Crew Captains can make excellent relief driver candidates. Check also with school districts, as many have bus drivers who can be qualified and may be unemployed during most of the fire season.

Qualified relief drivers not holding a Restricted Firefighter's License with endorsements as listed above, must have a valid Class B driver's license, medical certificate, and passenger and air brake endorsements. They shall not have manual transmission or GVW restrictions on their licenses. They must also be included in a random drug testing program. Each qualified driver must have been given a check ride on roads normally encountered by relief drivers, to demonstrate proficiency in each type of vehicle that the individual could be expected to drive, including the type of transmission involved.

The list of qualified relief drivers should be shared as widely as possible with adjacent CAL FIRE units, regions, and Sacramento ECC. Civilian or Retired CAL FIRE employees are not authorized to operate an emergency crew transport in a code three mode at any time.

EMERGENCY RESPONSE VEHICLE OPERATIONS GUIDELINES

6557.7

(No.21 May 2016)

The use of an emergency crew transport's code three equipment while responding to an incident will be at the discretion of the operator. Code three equipment is to be used when traffic or highway conditions exist that may prohibit the expedient response of a Fire Crew. As with any code three equipped apparatus, the operator shall use the emergency crew transport in a manner that provides the maximum protection for the general public and the passengers on board.

The operation of emergency crew transports shall conform to CAL FIRE policies and procedures outlined in Sections 6780- 6782. Drivers of ECT's will comply with the duties and responsibilities outlined in Section 6783. Drivers of authorized emergency vehicles are exempt from certain laws relating to speed limits, rights of way, and signs or signals when responding to a fire alarm or other genuine emergency (but not when returning from such an emergency) CVC21055(a). This exemption is valid only when the vehicle's red lights and siren are operating at the level necessary to warn other drivers and pedestrians. However, drivers must be cognizant of the limitations of red lights and sirens. The law requires that drivers of authorized emergency vehicles use good judgment when responding to emergencies. In all cases, the safety of the general public must take precedence over the response speed of an emergency vehicle. The fact that a vehicle is an "authorized emergency vehicle" does not by itself relieve the driver from complying with the rules of the road. Before a pedestrian or motorist can yield the right of way, the driver of an emergency vehicle must grant the opportunity to do so. When responding Code 3 and traversing an intersection, the emergency vehicle shall maintain a speed that will enable it to stop without collision should its' right of way be violated.

The maximum speed through a stop sign or red light will be five miles per hour. At times it may be necessary to come to a complete stop at the intersection and then proceed cautiously after determining that the intersection is clear. Regardless of intersection speeds, the driver must be prepared to stop should the need arise.

The following is a set of additional guidelines to observe when operating an emergency vehicle. The Department has established these guidelines in accordance with the California Vehicle Code. Drivers should:

- Avoid pulling up directly behind a vehicle and suddenly sounding the siren.
- Avoid passing on the right unless no other course is open, and then only at a safe speed and after ensuring that any cars passed will not drive to the right as the emergency vehicle goes by.
- Fluctuate the siren throughout the tonal range rather than sounding it continuously at its highest pitch.
- Maintain a safe distance when following another emergency vehicle. A motorist may yield to the first emergency vehicle and then pull out in front of the second.
- Use the red lights and siren judiciously on the freeway, or not at all. Although the freeway is often the best route of travel for an emergency response, the unnecessary use of red lights and siren may confuse other drivers and impede the safe flow of traffic. Drivers should only use these warning devices on the freeway when the vehicle is obstructed by traffic, i.e. gridlock, and then only if there is a clear path around the obstructed traffic, such as the center median, or in extreme cases, the shoulder of the freeway.
- Use the air horn minimally, as excessive use may drown out the siren. During Code 3 responses, the driver should only use the air horn when approaching intersections, and then two to three short blasts should suffice.

- When responding Code 2 or Code 3, whether night or day, turn the headlights on. Headlights provide an additional margin of safety by assisting in drawing attention to the vehicle.
- When a Fire Captain has gone home during a normal stand by coverage night and is called to respond to an incident, Code 3 responses will not normally be indicated. The use of red lights and siren may only be used when traffic conditions obstruct or impede response to an emergency.

FORMS AND/OR FORMS SAMPLES: RETURN TO CAL FIRE LIBRARY HOME PAGE FOR FORMS/FORMS SAMPLES SITE LINK.

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