

NORTH WHATCOM FIRE AND RESCUE

FIRE DISTRICT POLICY AND PROCEDURE

Number: 0100.0100.00

Date: 8/8/2011

Area: Administration

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Subject: Staff Officer Use of District Issued Vehicles

Approved:

Policy 0100.0100.00

1.0 General

North Whatcom Fire and Rescue recognizes the importance of enabling command staff officers and other key personnel to respond to emergency incidents when needed, during times when those officers may not be actually on duty, or when otherwise needed to assist with critical events that occur outside of normal operating hours. To this end, the fire district issues vehicles to command staff personnel for their use. Assigning an emergency response vehicle to command staff officers provides a means for off-duty personnel to respond to major emergency incidents when additional command staff personnel may be needed. The assigning of command staff units is a flexible and cost-effective means for supporting the limited number of “on-duty” command officers assigned to operations.

2.0 Purpose

It is the purpose of this policy to identify those command staff officers who will be issued a fire district vehicle, and how that vehicle will be used, cared for and maintained.

3.0 Scope

This policy and procedure applies to all command staff officers and other fire district personnel who may be issued a vehicle for their use.

4.0 Policy

4.1 Definitions

Command Staff – fire district officers who hold the rank of Division Chief or higher.

Administrative Support Staff – Fire district personnel who normally provide administrative support to command staff and who may use fire district apparatus to support fire district administrative functions.

Command Staff Vehicle – an appropriate emergency response vehicle, equipped with visual and aural warning, radio communication capability, and appropriate incident command equipment, and supplies to function as a command unit at emergency incidents.

De minimis Use – the use of a fire district issued vehicle when such use could be considered for personal gain, and where such use is lacking significance or importance or

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would be of such a minor nature so there would not be a personal gain to the user of the vehicle.

On Duty – that period of time where a staff officer is required to be available to respond to emergency incidents, respond to inquiries from fire district shift and volunteer personnel, transport personnel, and/or conduct other regular business functions on behalf of the fire district.

Official Fire District Business – that time when staff officers perform routine duties, responsibilities, and/or perform other functions on behalf of the fire district. Official Fire District Business is not limited to any specific time period.

Personal Use of Issued Vehicle – the use of the issued vehicle for other than official Fire District Business, and/or when such use would be deemed not “de minimis”, where that use creates a personal benefit or gain normally received by the use of a personal vehicle.

Personal Gain – the act of doing something for one’s self for the purpose of one’s self or one’s personal benefit.

4.2 Issuance of Fire District Vehicle

4.2.1 All command staff officers shall be issued a fire district vehicle to be used for official fire district business only.

4.2.2 All vehicles issued to command staff officers shall be equipped to enable emergency response to, and management of critical events within the fire district, or when requested to respond as part of an emergency response outside fire district jurisdiction such as with mutual aid responses or “Overhead Team” response. Such emergency response equipment shall include but not be limited to:

- Appropriate aural and visual warning devices
- Two-way VHF and UHF radio communications to include a mobile repeater, and a minimum of two portable radios with spare batteries.
- Incident Command equipment and supplies appropriate for incident management duties and responsibilities
- Mobile Data Computers
- Re-chargeable flashlight
- Self-Contained Breathing Apparatus
- First aid equipment appropriate for EMT skills.

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- 4.2.3 An appropriate response unit may be issued to the Fire Marshal, and other non-command personnel when authorized by the fire chief.
- 4.2.4 The fire chief may grant to any member, at his/her discretion, the right to commute with a fire district vehicle for limited duration based on that members need to attend out-of-area travel, participation in fire district business, or to complete special projects.
- 4.2.5 During times of anticipated heavy incident call volumes or for other special events, such as severe weather or specific holiday activities, the fire chief or his/her designee may assign a "take-home" vehicle to other staff members as needed to ensure continuity of operations.

4.3 Use of Fire District Issued Vehicle

- 4.3.1 No fire district command staff officer may use any issued vehicle under the officer's official control or direction, or in his or her official custody, for the private benefit or gain of that officer, an employee, or another person.
- 4.3.2 Command staff officers are authorized to take a vehicle to their place of residence being that the issued vehicle is expected to be used solely for official business of the fire district and to expedite emergency response to protect life and property. The intended purpose of permitting the taking of an issued vehicle to a place of residence is to allow for response to emergency incidents without impacting that officer's ability to respond in a timely manner, and to ensure that the officer is appropriately equipped to respond directly to an incident.
- 4.3.3 Whenever a command staff officer has taken his/her issued vehicle to their place of residence, and they become aware of an incident requiring assistance with managing the incident, such as a working structure fire, that officer shall respond to the incident. The response from a place of residence to an emergency incident shall be in accordance with response procedures as if that officer was on duty.
- 4.3.4 Command staff officers, who are assigned a vehicle, and while off duty, shall make every reasonable effort to be available by pager, NEXTEL, or radio for any administrative issues or emergencies that may require their attention.
- 4.3.5 All command staff officers when operating their issued vehicle shall be properly attired and equipped to conduct fire district business should the occasion arise. This will include proper identification, personal protective equipment, portable

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radio communication capability, and other tools and equipment as appropriate for the command unit.

4.3.6 The fire district recognizes that certain “de minimis” uses of the vehicle are a practical reality, such as running a personal errand during travel to and from a place of residence or when on duty, such as taking the vehicle to a restaurant for lunch. These uses are permitted as long as they satisfy the definition of “de minimis” considering the value and the frequency being provided is so small as to make accounting for that use unreasonable.

4.3.7 Any other uses of the fire district issued vehicles are strictly prohibited.

4.3.8 Fire district issued apparatus are not to be taken to or parked at any establishment where that establishment could be deemed inappropriate such as night clubs, bars, sporting events (unless on official duty at the event) or other locations where parking could raise concern.

4.4 Limitations for Use of Fire District Issued Vehicles:

4.4.1 Command staff officers shall not operate their issued vehicle while under the influence of alcohol, controlled or dangerous substances, or under the influence of any prescribed medication that prohibits the operation of machinery or when other medications impair their ability.

4.4.2 Command staff officers shall not be permitted to drive their issued vehicle to their place of residence (home) unless that staff officer can return to the center of the fire district within thirty-minutes (30) driving time at normal driving speeds.

4.4.3 Command staff officers who are issued a staff vehicle, and when on any extended leave, shall return that vehicle to their assigned station. The assigned vehicle with keys shall be left at that station on the appropriate charging system until that command staff officer returns from leave.

4.4.4 Command staff officers shall not use the issued vehicle for any other purpose than that intended. This limitation includes but is not limited to:

- Hauling heavy loads
- Hauling of such items as personal garbage, or other items that are not appropriate for the issued vehicle.

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- Allowing objects to protrude from any windows or the rear of the vehicle.
- Towing personal trailers or other towable equipment where such towing is not a part of official fire district business. Towing is approved for using authorized fire district trailers for fire district business.
- Carrying pets or animals inside the vehicle.
- Carrying personal equipment (i.e. recreational equipment) in the vehicle or on the vehicle using such devices as bicycle racks, ski racks, water craft racks or other devices deemed to be more appropriate for personal use.
- Other uses of the vehicle that would not be appropriate or viewed as an abuse of the use of fire district issued vehicles.

4.4.5 Command staff officers shall not use the issued vehicle in any manner or as any part of any secondary employment.

4.4.6 Command staff officers shall not loan their vehicle to any other fire district member unless that loan is specifically approved by the Division Chief/ Technical Support.

4.4.7 Command staff officers shall not permit any non-fire district person to drive or otherwise operate their issued vehicle.

4.4.8 Command staff officers shall not transport any unauthorized person in their issued vehicle.

4.4.9 Command staff officers shall not carry any firearm in issued vehicles unless specifically authorized by the fire chief (i.e. Title 9 certified Fire Marshal).

4.4.10 Command staff officers shall not modify or otherwise make changes to the existing equipment, or add additional equipment or devices to the command unit without the permission of the Division Chief/Technical Support

4.5 Permitted Transportation of Passengers in Fire District Issued Vehicles

4.5.1 Passengers may be transported or otherwise ride in fire district issued vehicles provided there is a legitimate business reason for doing so, or that the reason(s) for transporting that passenger are consistent with the mission, vision, and values of the fire district (i.e. transporting a stranded motorist).

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4.5.2 An immediate family member may ride in the issued vehicle provided that the ride given satisfies the definition of “de minimis” use, and that the vehicle is not responding to any emergency or other critical incident.

4.5.3 Command staff officers shall not respond to an incident “Code Red” with any passenger unless that passenger is an emergency response employee/member that is part of that response or the passenger is someone authorized as part of a “ride along” program, and the appropriate hold harmless agreements have been signed and approved.

4.6 Care and Maintenance of Fire District Issued Vehicle:

4.6.1 The command staff officer who has been issued a fire district vehicle shall be responsible to ensure the vehicle is maintained in accordance with fire district maintenance policies and procedures.

4.6.2 The command staff officer who has been issued a fire district vehicle is responsible for the internal and external appearance of the vehicle, and that vehicle shall be clean and maintained in a condition that reflects positively on the fire district.

4.6.3 The command staff officer who has been issued a fire district vehicle shall immediately report any mechanical problems, damage or other concerns with the vehicle to the appropriate personnel to ensure appropriate repairs are implemented.

4.6.4 The command staff officer who is issued a fire district vehicle shall not operate that vehicle with known mechanical or other deficiencies that would render the vehicle unsafe for normal operations.

4.7 Penalties and/or Revocation of Issued Vehicle Privileges:

4.7.1 Assignment of a fire district vehicle is neither a privilege nor a right of any employee or member.

4.7.2 All recipients of an issued fire district vehicle must comply with all appropriate rules and regulations for driving within the State of Washington.

4.7.3 Command staff officers who receive a citation related to the operation of their issued vehicle is personally responsible for all fines and charges related to such

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offenses. Command staff officers shall not use their position as a fire district officer to try and avoid traffic citations.

4.7.4 Command staff officers determined to be in violation of this policy, receiving citations for serious offenses (reckless driving), damaging the vehicle, or careless operation and care of the issued vehicle may be disciplined.

4.7.5 Discipline may range from counseling for minor infractions, to revocation of the issued vehicle, which could lead to termination.

5.0 Procedures (Optional)

(Not applicable)

6.0 Control Mechanisms

- 6.1 The Fire Chief is responsible for the implementation and enforcement of this policy.
- 6.2 The Board of Fire Commissioners is responsible for the approval and annual review of this policy.
- 6.3 This policy shall be reviewed at a minimum, annually and shall be revised and or amended when deemed necessary.

Approved:	
	Chairman, Board of Fire Commissioners North Whatcom Fire & Rescue
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