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| City of Lawrence Fire Department  General Order | | | |
|  | Admin | Date: | January 1, 1997 |
| Title: Department Vehicle Accidents and Accident Review Procedures – FIRE & EMS | Revised: | June 7, 2012  February 6, 2013  August 2, 2018  December 5, 2018  July 3, 2020  January 27, 2022  August 15, 2026 |
| Number: | 4.20 | Pages | 6 |

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| PURPOSE STATEMENT: | To establish clear policies and procedures for responding to, investigating, and reviewing vehicle accidents involving City of Lawrence Fire Department (LFD) motor vehicles. This includes defining operational responsibilities, outlining the structure and function of the Accident Review Board (ARB), and detailing disciplinary actions based on accident preventability. |
| DEFINITIONS: | **Accident**: Any damage to an LFD motor vehicle or other property arising from its operation, or damage to LFD property caused by another vehicle.  **Emergency Vehicle**: A motor vehicle equipped with red lights and sirens, used for emergency responses.  **Accident Review Board (ARB):** A group appointed by the Fire Chief to review accidents and determine preventability.  **Defensive Driving**: A proactive approach to driving that prioritizes awareness and accident avoidance.  **Preventable Accident**: An accident that could have been avoided by the LFD driver/operator.  **Non-Preventable Accident**: An accident that could not have been avoided, even with proper defensive driving.  **Accident Point System**: A system assigning points for preventable accidents to guide disciplinary action.  **Preventable Accident with Extenuating Circumstances** - An accident, which by nature, regardless of which driver was at fault, could have been avoided by the Fire Department Operator, but extenuating circumstances existed, and disciplinary action will be waived. |
| GENERAL ACCIDENT GUIDELINES | All employees are responsible for safe vehicle operation in accordance with applicable laws and department policies. If an employee is involved in an accident they must:   * Stop Immediately: If you're in an accident, stop the vehicle right away to check for injuries. The only exception is if damage is minor and it's a safety or time-sensitive issue. * Notify Dispatch:   + Alert LFD dispatch about the accident.   + Start the department vehicle accident response process.   + Tell dispatch if additional EMS or Fire is needed for injuries. * Provide Aid: If there are injuries and you can, give medical treatment until more help arrives. * Notify Leadership:   + The on-duty Battalion Chief and the Chief (or his/her designee) must be notified about any accident involving a City of Lawrence Fire Department vehicle.   + If a Chief Officer is in an accident, they must tell their immediate supervisor. * Police Report:   + Lawrence Police may make a report if the accident is within city limits.   + If outside city limits, the local police department in that area may take the report. * Testing: The driver of the department vehicle will undergo a Breathalyzer and/or drug test as required by G.O. 5.30 - MAINTAINING A DRUGFREE WORKPLACE. * Reporting Damage: If a department vehicle is damaged (moving or parked), the assigned operator must complete all required reports (by law, City, and department policy) as soon as possible, or within 24 hours. |
| ACCIDENT REVIEW BOARD | **Establishment:**   * Appointment & Composition   + Appointed by the Fire Chief.   + Must include 3 to 7 members:   + Deputy Chief of Administration.   + 1 Officer.   + 1 Firefighter.   + 1 Civilian EMS.   + Fire Chief may add more members as needed. * Term   + The board serves for 2 year.   + May be reappointed by the Fire Chief. * Member Recommendations   + Should have life experience relevant to understanding driving habits and accident causes.   + Must be open-minded and thorough in accident reviews.   + Members involved in an accident under review must step down and request temporary replacement. * Operations   + The Chairperson of the board shall be the Deputy Chief of Administration.   + At least 50% of members must be present for a meeting to be held (quorum).   **Responsibilities:**   * Review all vehicle accidents within 60 calendar days (with exceptions). * Determine preventability using established guidelines. * Recommend disciplinary action and/or training. * Submit written findings within 3 days of determination.   **Accident review board process:**   * Notification * The Fire Chief (or his/her designee) must notify the Accident Review Board as soon as possible after a department vehicle accident. * Investigation   + The Board investigates all department vehicle accidents to determine if they were preventable or non-preventable.   + Reviews must be completed within 60 days of the accident, unless:     - The driver is hospitalized.     - More time is needed for investigation.     - Serious accidents require faster action. * Review Materials   + All incident reports and related materials must be provided to the Board.   + The Board may hold a hearing based on the evidence and investigation. * Minor Accidents   + May not need a full investigation or hearing, but all accidents must be reviewed. * Determination   + The Board may use a standard guide to determine preventability.   + If preventable accident with extenuating circumstances, the board may recommend:     - Points assigned     - No further action is taken   + If preventable, the Board may recommend:     - Points assigned     - Verbal/written warning.     - Extra driver training.     - Temporary driving suspension.     - Suspension without pay.     - Referral to Merit Commission for additional disciplinary action.   + Non-Preventable Accidents     - No further action is taken. * Reporting   + Board Chair must submit written findings to the Fire Chief within 3 days of their decision. * Fire Chief's Role   + May:     - Approve the Board’s recommendations.     - Increase/decrease discipline recommendations.     - Refer to a formal disciplinary hearing. * Driver Notification   + Fire Chief or their designee must notify the driver in writing within 5 days:     - Include Board's findings, disciplinary recommendation, and Chief's decision. * Hearings   + Treated like disciplinary hearings; generally, not open to the public.   + Public hearings may be allowed if the Chair and Board agree.   + All deliberations must happen in private.   + Witness can be called to testify and give statements in hearings if needed.   **Appeals:** Drivers may appeal the Fire Chief’s final decision to the Merit Commission as applicable per the Merit Commission rules. |
| PREVENTABILITY GUIDELINES | Accidents are judged on whether the driver acted reasonably and defensively. Types of typically preventable accidents include, but are not limited to:   * Intersection collisions. * Backing accidents. * Rear-end and front-end collisions. * Improper lane changes or passing. * Collisions with pedestrians or fixed objects. * Accidents due to weather misjudgment, mechanical neglect, or unsafe emergency operations.   A finding of legal fault is not required for an accident to be deemed preventable. |
| POINT SYSTEM | **ACCIDENT POINT SYSTEM**   | **Offense** | **Points** | | --- | --- | | First preventable accident | 4 | | Second preventable accident | 8 | | Third and subsequent preventable accident | 12 | | Each contributing factor listed below: | +2 per item | | * Failure to take precautionary measures approaching alleys, driveways and intersections. * Backing into a fixed or moving object. * Front end collision * Improper action while passing or being passed. * Collisions with fixed objects * Accidents involving employee or civilian injuries. * Pedestrian Injury. * Accidents > $5000 in damage estimated. * Failure to adjust to weather conditions. * Improper parking and security. * Failure to report mechanical problems. * Failure to drive with Due Regard while under emergency conditions. * Non-collision damage due to lack of defensive driving. |  |   **Backing Accidents - Recommended Disciplinary Actions**   * Automatic 6 points minimum. * The Officer in Charge (or Ride-Out Officer) shall receive 24-hours off without pay if no spotter was used. * The Engineer (OR Ride-Out Engineer) shall receive 24-hours off without pay if no spotter was used. * If a spotter was used and was disregarded by the Engineer (OR Ride-Out Engineer). For example, losing sight of the spotter, or disregarding the spotter, they shall receive 24-hours off without pay. * If the spotter was at fault, they shall receive 24-hours off without pay. * Other individuals may receive time off if warranted. * The exception to the automatic assignment of points above is only if the apparatus is on an emergency run WITH extenuating circumstances (i.e. entrapment run), or no spotter was available due to extenuating circumstances, or any other extenuating circumstance not identified above. It will be up to the Accident Review Board to make this determination.   **Point-Based Disciplinary Guidelines for all other accidents:**   | **Point Range** | **Recommended Disciplinary Actions** | | --- | --- | | 1–7 | Minimum Verbal Reprimand and additional training. Other discipline may be considered. | | 8–11 | Minimum Written Reprimand, 12 hours off without pay and additional training. Other discipline may be considered. | | 12–24 | Minimum Written Reprimand, 24 hours off without pay and additional training. Other discipline may be considered. | | 25-30 | Minimum Written Reprimand, 48 hours off without pay, Driving Prohibition (30 days), and additional training. Other discipline may be considered. | | 31+ | Minimum Written Reprimand, 48 hours off without pay, Driving Prohibition (3 year), and Additional Training. Referral to Merit Commission for severe action including demotion or dismissal. | |
| DOCUMENTATION AND REPORTING | * A 12-month clean driving period is required for point reset. * All accident documentation, ARB findings, and disciplinary actions shall be recorded in the personnel file. * All reports must be submitted within 24 hours unless otherwise justified. * Supervisors are responsible for ensuring compliance with this policy. * Only written reprimands, suspensions of pay, and demotions can be appealed to the Merit Commission or Board of Works as appropriate. Driving apparatus is a privilege and may be suspended as required and is not appealable. |

**By Order Of,**

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Robert Wallace**, Chief**

**City of Lawrence Fire Department**