

Emergency Response Driving

The ACT Rural Fire Service Chief Officer has issued this standard operating procedure (SOP) under Section 38(1) of the *Emergencies Act 2004* – A Chief Officer may determine standards and protocols.

Purpose

This SOP describes the circumstances and conditions under which ACT Rural Fire Service (ACTRFS) members conduct Emergency Response Driving (ERD), previously referred to as Urgent Duty Driving (UDD). Emergency Response Driving refers to the response of an emergency vehicle, using warning lights and/or sirens, to a specific incident or emergency in a way that would ordinarily constitute an offence against transport legislation.

Scope

This SOP is applicable to all ACTRFS members from the ACT Rural Fire Service brigades, as defined in the *Emergencies Act 2004*, and authorised and qualified interstate personnel engaging in firefighting operations within the ACT.

This SOP applies to ACTRFS members, regardless of the location or jurisdiction in which they are driving.

Background

Driving vehicles under emergency conditions presents a significant risk to both ACTRFS members and the broader community. ERD is characterised by time pressure, stressful driving conditions, irregular behaviour by other road users and may often involve multi-tasking. All these factors contribute to the level of risk involved with ERD. Safety remains the first priority.

To comply with the exemption granted under the *Road Transport (Road Rules) Regulation 2017*, Part 19, Section 306, there are clear considerations and procedures to be followed by members performing duties that require ERD.

The regulation states that the driver of the emergency vehicle must ensure that:

- the driver takes reasonable care
- it is reasonable that the exemption should apply for the purpose
- the vehicle must display a blue or red flashing light and/or sound an alarm.

Unless authorised as described in this SOP, Proceed mode is the default mode for driving emergency vehicles. Proceed mode means that the driver must obey all road rules at all times.

Responsibilities

ACTRFS members	To drive ACTRFS vehicles in Proceed mode as default. To conduct ERD only if qualified and directed to do so by the ESA 000 COMCEN (COMCEN), ACTRFS Duty Officer or Incident
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	Controller (when an Incident Management Team (IMT) is stood up). To have the right to refuse to drive in ERD mode. To supply a copy of their driver's licence to the ACTRFS Membership Officer. To speak up if concerned about the safety of the driver and to report any concerns.
Emergency Response drivers	Must drive an emergency vehicle in such a way that: - the safety of the vehicle occupants and community members is their highest priority - they comply with the Heavy Vehicle (Fatigue Management) National Regulation (see 2.2.4 Managing Fatigue SOP) - ERD is commenced only when authorised - sirens are only sounded as necessary to alert other road users - they, in consultation with the Crew Leader, conduct a dynamic risk assessment if an obstacle is encountered - ensures a secondary person in the vehicle operates in-vehicle communications systems, beacons, and sirens while the vehicle is in motion - the requirements of this SOP are met at all times.
Crew Leaders	Must ensure: - the Emergency Response driver is qualified for ERD - the safety of the vehicle occupants and community members is maintained at all times - the requirements of the ERD Policy and this SOP are complied with - the vehicle type is safe for ERD use - that they conduct a dynamic risk assessment in consultation with the Emergency Response driver if an obstacle is encountered. They may also direct: - the Emergency Response driver not to drive the vehicle - any qualified Emergency Response driver to drive a vehicle - the Emergency Response driver to modify their driving as required in the circumstances - the Emergency Response driver to cease ERD.
ACTRFS Duty Officer (DO) and /or Incident Controller (IC) and/or ACTRFS Chief Officer	Authorise request to start, modify or cancel ERD. Provide clear instructions to a unit if ERD is required to respond to an event and any modifications required to the manner of driving.

	Advise COMCEN that the unit has been requested to respond using ERD. Advise interstate agencies of this SOP when ACTRFS members or strike teams are deployed in other jurisdictions.
ACTRFS Membership Officer	Maintain a record of members approved for ERD. Make this record available to all Brigades.
RFS Director, Operations	Maintains a list of vehicles approved for use in ERD mode. Ensures this list is provided annually to the brigades and COMCEN.

Operational procedure

Who can undertake ERD

ERD must only be carried out by members who:

- hold a current Australian driver's licence of the class applicable to the vehicle they are driving and must have held the relevant class of licence for a minimum period of two years without any restrictions
- have supplied a copy of their Australian driver's licence to the ACTRFS Membership Officer
- have been active within an ACTRFS brigade for a minimum period of two (2) years
- have obtained the unit of competency in "PUAVEH001 Drive vehicles under operational conditions"
- have successfully completed the ACTRFS ERD program.

Notes:

1. Learner licence holders must not drive ACTRFS vehicles.
2. Provisional or Probationary licence holders must not operate a vehicle under ERD conditions.
3. ACTRFS members must notify their Brigade Captain and the RFS Membership Officer as soon as is practical, and before driving an emergency vehicle, of any changes to their driver's licence, including:
 - cancellation
 - suspension
 - changes to classification
 - conditions
 - any restrictions imposed
 - renewals.

ACTRFS will conduct an annual review of all drivers approved for ERD. Members who are approved to undertake ERD may be required to undertake annual refresher training and a practical assessment every two years to retain the competency.

A record will be maintained by the ACTRFS Membership Officer who will provide a list of qualified Emergency Response drivers to each brigade.

Drugs and alcohol use

Drivers must have a blood alcohol concentrate (BAC) of 0.00% and have no illicit drugs in the body while operating an ACTRFS vehicle for an emergency response. Similarly, drivers must not operate a service vehicle if they are taking prescribed medication that may affect their ability to drive.

See 1.1.4 Alcohol and Drug Consumption and RFS Activities SOP.

Driver behaviour and attitude

All drivers must take reasonable care for his or her own health and safety and take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons.

Drivers must comply, as far as they are reasonably able, with any reasonable instruction given to them by an authorised person.

If the Crew Leader observes issues – either minor or dangerous – in driving behaviour, they must take immediate action.

Minor issues may include a driver demonstrating driving behaviour that is outside of what is normally expected but is minor in nature or demonstrates a poor driver attitude.

Driving considered dangerous may include, but is not restricted to, failure to listen to and follow instructions, not being in proper control of the vehicle, driving in a manner likely to cause injury to persons or damage to property, driving that results in a near miss, or otherwise endangers the safety of the crew or public.

Depending on the nature of the driving issue, the Crew Leader may:

- direct the ERD to be modified or ceased
- direct the vehicle to be stopped and change drivers if necessary
- notify and/or involve the Brigade Captain and the DO and ACTRFS Director, Membership
- submit a report of the incident to the Brigade Captain and DO
- recommend driver counselling, retraining and reassessment as necessary.

All ACTRFS members have the responsibility to raise concerns when they observe unsafe driving in ACTRFS vehicles.

Further information is provided in the ACTRFS Emergency Response Driving Policy.

See 3.1.13 Driving RFS Vehicles Service Standard and the Notifiable Instrument, NI 2011-324: Emergencies (Suspension and Disciplinary Arrangements for Volunteers) Commissioner's Guidelines 2011 for referral and actions for addressing unsafe driving behaviours.

Initiating ERD

ERD can **only** be undertaken when authorised by any of the following:

- ACTRFS Chief Officer (CO)
- DO, acting on behalf of the CO
- IC, in the event of an Incident Management Team (IMT) being stood-up

- COMCEN, as determined by the Computer Aided Dispatch Business Rules and ACTRFS Operating Guidelines.

After receiving the correct authority, the Crew Leader must immediately notify COMCEN of the decision to initiate ERD using MDT or radio.

The vehicle driver has the final decision to proceed with ERD. If the driver is not comfortable with the instruction, they should drive in Proceed mode, or the Crew Leader may designate a different, qualified driver if available.

The Crew Leader should ensure that the vehicle is on the approved list for ERD.

How to undertake ERD

The default turnout to any incident is Proceed. All road rules must be obeyed when proceeding, unless the driver has been tasked by the DO, IC or COMCEN to respond using ERD.

When responding in Emergency Response mode, drivers are authorised to:

- activate lights and sirens as necessary to warn other road users to make way for the RFS vehicle
- park vehicles in a clearway.

When undertaking ERD, the driver must:

- drive in a safe manner at all times
- activate flashing lights on the vehicle
- only activate the siren when clearing an obstacle
- come to a complete stop when encountering a **STOP** sign or red traffic signal, before proceeding through the intersection safely
- use air horns and sirens to warn other road users in the case of imminent danger
- use an alternative route where possible to **AVOID** school zones during school periods, shared zones, or any other area with concentrations of pedestrians and other vulnerable road users
- avoid causing other drivers to place themselves in danger – depending on the risks assessed. The guideline is for emergency vehicles **NOT** to use flashing lights and sirens if the risk assessment indicates it is not safe to do so.
- Must **NOT** use a mobile phone.

While undertaking ERD, there is NO EXEMPTION from driving offences such as negligent, furious, reckless, dangerous, menacing, culpable driving or improper use of a motor vehicle.

Note: Vehicles with only one occupant, e.g. Command vehicles, must attend incidents in **Proceed** mode only, obeying all road rules.

The collision and driving incident procedures are intended to protect all parties pending a thorough investigation and determination. Being relieved from driving duties following a driving incident does not indicate that the driver is at fault. This will be determined as a result of the driving incident investigation.

Dealing with an obstacle

Should a driver responding in Emergency Response mode encounter an obstacle, for example, traffic congestion, crossing a median, etc:

1. The driver, in consultation with the Crew Leader, must conduct a dynamic risk assessment of all traffic variables, including the urgent need for the RFS vehicle to arrive at the incident.
2. The driver must only activate sirens for the period required to clear the obstacle.

Responsibility of Crew Leader

Although the driver is responsible for ensuring that the vehicle and crew arrive safely at the incident, the Crew Leader also has responsibilities.

The Crew Leader, in conjunction with the driver, must conduct dynamic risk assessments during the the ERD to ensure safety at all times.

The Crew Leader has the authority to direct:

- the vehicle driver not to drive the vehicle
- any qualified person to drive the vehicle
- the driver to reduce speed or modify their driving for safety reasons
- the driver to stop the vehicle
- the driver to cease ERD.

Cancelling or modifying the authority to undertake ERD

ERD must be cancelled or modified when:

- COMCEN, the DO or the IC cancels the response or modifies or downgrades the response to Proceed mode.
- The driver advises the Crew Leader that they do not consider it safe to continue ERD.
- The Crew Leader conducts a dynamic risk assessment and determines that it is not safe to continue ERD.
- The Crew Leader assesses that the driver is not driving in a safe manner.
- A vehicle fault is detected while driving in Emergency Response mode. If this occurs, the Crew Leader must advise COMCEN that the vehicle is able to continue in Proceed mode, or if they are unable to continue, to notify COMCEN and the DO. See 2.2.28 Vehicle Recovery SOP.

The COMCEN, DO or the IC can cancel or modify ACTRFS ERD at any time.

DO or IC must advise COMCEN of the decision to cancel or modify or downgrade ERD.

Vehicle collisions and driving incidents

If an ACTRFS vehicle is involved in a collision or driving incident while undertaking ERD, the following procedure is to be applied:

1. If responding to an emergency incident, the Crew Leader will use discretion whether to continue on, or to advise COMCEN of the inability to continue and/or to stay and render assistance at the driving incident. Note that all vehicles must be checked for roadworthiness by ESA Workshops after any driving incidents.
2. If the Crew Leader decides not to continue on, the driver stops and safely parks the vehicle and exchanges driving incident information with involved persons (at no time is liability to be admitted or assumed).
3. Crew Leader will advise COMCEN of the driving incident with all relevant details.

4. The driver will complete a "RiskMan" online form as soon as practicable after the incident.
5. Crew Leader notifies the DO of the incident.
6. Crew Leader notifies AFP and ACT Ambulance Service (ACTAS), if required.
7. DO notifies the owner of the damaged property, if applicable.
8. DO notifies the ESA Workshop (consider Workshop attendance for vehicle roadworthiness assessment).
9. DO immediately relieves the driver of the emergency vehicle from driving pending an investigation conducted by the relevant panel convened under the RFS Code of Conduct and AFP as necessary.
10. If a member sustains a serious injury or illness as defined in section 36 WHS Act 2011 WorkSafe must be notified.
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If disciplinary action is required, Notifiable Instrument NI 2011-324: Emergencies (Suspension and Disciplinary Arrangements for Volunteers) Commissioner's Guidelines should be applied:

1. The Assistant Director, Membership and Engagement in conjunction with the relevant panel ensures the driver is counselled, retrained and reassessed as necessary and refer the matter to the relevant panel.
2. The relevant panel reinstates the drive or recommends further remedial action.
3. Notify the ACTRFS CO of the outcomes, and a copy of the investigation report for file.

Note that all driving incidents on roads must be reported to the appropriate authority within 24 hours.

Document information

Version history

Author	Version	Version Approval Date	Summary of Changes
Andrew Stark	1.0	15/02/2011	Version 1.0
Rod Anderson	2.0	30/09/2020	Reviewed and updated against Emergency Response Driving Policy

Approved by

Name	Title/Role	Signature	Date
Rohan Scott	A/g CO ACTRFS		24.11.2020

Document Owner

Position	Section
RFS Director	Operations

Next review due: 30/09/2022

Related documents

Document name
Road Transport (Road Rules) Regulation 2017
Work Health and Safety Act 2011
Work Health and Safety Regulation 2011
Heavy Vehicle (Fatigue Management) National Regulation
RiskMan Work Incident Reporting
NI 2011-324: Emergencies (Suspension and Disciplinary Arrangements for Volunteers) Commissioner's Guidelines 2011
ACTRFS Emergency Response Driving Policy
1.1.4 Alcohol and Drug Consumption and ACTRFS Activities Service Standard
2.2.4 Managing Fatigue Standard Operating Procedure
2.2.13 Response Standard Operating Procedure
2.2.28 Vehicle Recovery Standard Operating Procedure
3.1.9 Command Vehicle Use Service Standard
3.1.13 Driving RFS Vehicles Service Standard
3.1.4 RFS Membership Service Standard

Signed documents will be scanned and filed in TRIM.

