



# Scarborough Fire Department

## Scarborough, Maine



### Standard Operating Guidelines

<b>Book:</b>	<b>Routine Operations</b>
<b>Chapter:</b>	<b>Apparatus Operations</b>
<b>Subject:</b>	<b>2140 – Apparatus Accident Policy</b>
<b>Revision Date:</b>	<b>9/18/2012</b>
<b>Approved by:</b>	<i>B. Michael Thurlow</i>

#### PURPOSE

To establish a policy for the prompt reporting, documentation, and investigation of an accident or incident involving Scarborough Fire Department vehicles or apparatus.

#### SCOPE

This policy pertains to all accidents or incidents involving any department vehicles or apparatus both during normal operations and when responding to emergency calls. All accidents or incidents involving any department vehicles or apparatus will be investigated to determine causation and preventability.

#### POLICY

When a department vehicle or apparatus is involved in an accident during non-emergency operations the driver should stay at the scene and notify dispatch that the unit was involved in an accident and is out of service.

When a department vehicle or apparatus is involved in an accident during emergency operations the driver should notify dispatch that the unit was involved in an accident, stay at the scene and advise dispatch the unit is out of service unless confronted with extraordinary conditions. If there are no injuries to any parties, the totality of circumstances may lead the driver to decide to continue the emergency response. Continuing the response should be a last resort and considered only after the driver and crew have weighed the “greater good” and “competing harms” of a continued response and the police have been dispatched to the accident scene.

All accidents and incidents involving fire department vehicles and apparatus will be investigated by the Fire Chief or his designee, the appropriate Police agency as required, and the Scarborough Fire Department Safety Committee. Reduction in fleet damage, personal injury, and loss of equipment are of prime concern to the department and all apparatus drivers.

## **DEFINITIONS**

- A. Avoidable accident – The driver failed to do everything reasonably possible to avoid the accident.
- B. Non-avoidable accident – The driver did everything reasonably possible to avoid the accident.
- C. Greater good- the common good that is shared and beneficial for most people present or affected, it could cause harm as well as goodness, but overall it has a positive outcome for most of those involved.
- D. Competing harms- Conduct that the person believes to be necessary to avoid imminent physical harm to them or another is justifiable if the desirability and urgency of avoiding such harm outweigh, according to ordinary standards of reasonableness, the harm sought to be prevented by the statute defining the crime charged (ex. leaving the scene of an accident).
- E. Totality of circumstances- looking at all of the relevant facts and circumstances (what you knew and when you knew it) that would lead the driver to determine the best outcome between a continued response or a discontinued response after being involved in an accident.

## **RESPONSIBILITIES**

- A. Driver - It is the responsibility of a driver involved in an accident to:
  - a. Immediately report the accident to dispatch
  - b. Assess the need for medical attention to all those involved in the accident including those in other vehicles or pedestrians, and request additional resources to care for the injured as necessary.
  - c. Cooperate fully with those officials and agencies investigating the incident.
  - d. Complete reports, statements, and other required documentation as required.
- B. Dispatch – It is the responsibility of the dispatcher to:
  - a. Ascertain from the reporting party the need for EMS or other resources and the prompt dispatch of such.
  - b. Notify the Duty Officer and Chief on Call (COC) immediately of any accident involving fire department vehicles or apparatus.
  - c. In cases of personal injury immediately notify the Fire Chief.
- C. Safety Committee – It is the responsibility of the Safety Committee to:
  - a. Investigate the incident or accident to determine if it was avoidable or unavoidable.
  - b. Determine if the accident was due to the failure to follow Scarborough Fire Department SOGs.
  - c. Make recommendations to the Fire Chief regarding the need for revisions to current, or the creation of new policies or procedures to minimize the potential of a repeat accident or incident.
  - d. Make recommendations to the Fire Chief regarding the need for remedial training or new training opportunities to minimize the potential of a repeat accident or incident.

## PROCEDURE

- A. Emergency Response - When a department vehicle or apparatus is responding to an emergency call when the accident occurs:
- a. The driver shall immediately stop the vehicle at the scene of the accident and notify Dispatch that the unit was involved in an accident and is out of service.
  - b. The dispatcher shall dispatch another company or vehicle to answer the alarm that the vehicle involved was responding to.
  - c. The dispatcher shall notify the Duty Officer, Fire Chief on call, and the proper law enforcement agency responsible for investigating and reporting the accident.
  - d. The driver and/or crew on the truck shall check all vehicles or pedestrians involved for any injury and request additional resources from dispatch as required.
  - e. If there are no injuries to any parties, the totality of circumstances may lead the driver to decide to continue the emergency response. Continuing the response should be considered a last resort and considered only in extraordinary conditions where the driver and crew have weighed the “greater good” and “competing harms”. If response is continued:
    1. The FD vehicle must be serviceable.
    2. The roadway must be clear.
    3. Notify dispatch that you are continuing to the incident.
    4. Notify all other parties involved in the accident that you must leave on the critical call, that PD is responding, and for them to wait for PD’s arrival.
    5. When possible leave a responder with a radio at the scene until PD arrives.
  - f. The driver (unless injured or continuing the emergency response as allowed in e above) and the vehicle involved shall remain at the accident until cleared by the police agency responsible for the accident and/or the Fire Chief on duty.
  - g. If you leave the scene you must contact PD and meet with them at the accident scene as soon as practical after the emergency run is complete.
  - h. If an accident occurs involving an unattended vehicle where the owner or driver is not available, attempt to locate them with the assistance of the police department.
  - i. A police report is required for all accidents involving personal injury or a combined dollar loss of 1,000. If it is determined no Maine Crash Report is required due to the lack of injury or sufficient damage, the driver shall request the police officer file an informational report.
  - j. In addition to the police report a Scarborough Fire Department Incident Report, including photographs, is required for any incident or accident regardless of injury or extent of damage.
  - k. Incident reports must be turned in to the Fire Chief’s office within one (1) business day for processing.
  - l. Employees injured in an accident must complete the Employee’s First Report of Injury paperwork packet within one (1) business day. Injured employees that refuse medical treatment must also complete a First Report of Injury Report.
  - m. Injured employees who require hospitalization are required to process a Maine Crash Report, Scarborough Fire Department Incident Report, and Employee’s First Report of Injury paperwork as soon as medically and/or reasonably possible.

- n. The Fire Chief shall forward the accident and injury reports to the Town Manager and Human Resource Director within two (2) business days following the vehicular accident so proper notification can be made to the Town's insurance carriers.
  - o. No statements asserting the responsibility for the accident shall be made by members of the Department at the scene of the accident.
- B. Non-Emergency Response - When a department vehicle or apparatus is involved in an accident other than an emergency call response:
- a. The driver shall immediately stop the vehicle at the scene of the accident and notify Dispatch that the unit was involved in an accident and is out of service.
  - b. The dispatcher shall notify the proper law enforcement agency responsible for investigating and reporting the accident.
  - c. The driver and/or crew on the truck shall check all vehicles or pedestrians involved for any injury and request additional resources from dispatch as required.
  - d. The driver (unless injured) and the vehicle involved shall remain at the accident until cleared by the police agency responsible for the accident and/or the Fire Chief on duty.
  - e. If an accident occurs involving an unattended vehicle where the owner or driver is not available, attempt to locate them with the assistance of the police department.
  - f. A police report is required for all accidents involving personal injury or a combined dollar loss of 1,000. If it is determined no Maine Crash Report is required due to the lack of injury or sufficient damage, the driver shall request the police officer file an informational report.
  - g. In addition to the police report a Scarborough Fire Department Incident Report, including photographs, is required for any incident or accident regardless of injury or damage.
  - h. Incident reports must be turned in to the Fire Chief's office within one (1) business day for processing.
  - i. Employees injured in an accident must complete the Employee's First Report of Injury paperwork packet within one (1) business day. Injured employees that refuse medical treatment must also file an Employees First Report of Injury report.
  - j. The Fire Chief shall forward the accident and injury reports to the Town Manager and Human Resource Director within two (2) business days following the vehicular accident so proper notification of the Town's insurance carrier.
  - k. No statements asserting the responsibility for the accident shall be made by members of the Department at the scene of the accident.

## REFERENCES

- A. Maine State Law, MRS 29A
- B. N.F.P.A. 1002 Section 4.3.1