



TOWNSHIP OF PEMBERTON

500 PEMBERTON BROWNS MILLS ROAD

PEMBERTON, N.J. 08068-1539

(609) 894-8201 - Fax (609) 894-2703

www.pemberton-twp.com

MAYOR

David A. Patriarca

BUSINESS ADMINISTRATOR

Christopher J. Vaz

COUNCIL MEMBERS

Kenneth C. Cartier

Thomas R. Inge

Richard Prickett

Sherry L. Scull

Diane P. Stinney

MEMORANDUM

TO: All Pemberton Township Fire Chiefs & EMS Chiefs/Captains
FROM: Mayor David A. Patriarca *DA*
COPY: Christopher J. Vaz, Business Administrator
REF: Vehicle Usage Policy & Procedure
DATE: July 16, 2008

Pemberton Township owns and/or maintains and/or fuels and/or insures numerous fire, rescue, emergency and support services vehicles. The Township recognizes that each volunteer emergency services agency needs to flexibly use these vehicles in order to provide services to the residents of Pemberton Township. On the other hand, the Township also recognizes its duty to ensure accountability for the use of these vehicles by adopting coherent and uniformly applied policies and procedures establishing the acceptable use of fire, rescue, emergency and support services vehicles. Accordingly, effective immediately, the use by any volunteer emergency services agency of any vehicle that is owned and/or maintained and/or fueled and/or insured by Pemberton Township shall conform to the following policies and procedures:

Volunteer Emergency Services Agency:

For purposes of this policy, "volunteer emergency services agency" or "agency" includes Browns Mills Fire Company, Browns Mills EMS, Country Lakes Volunteer Fire Company, Country Lakes EMS, Goodwill Fire Co. No. 1, Magnolia Road Volunteer Fire Company, Pemberton First Aid Squad, and Presidential Lakes Fire & Rescue Squad.

Emergency Services Vehicle:

For purposes of this policy, "emergency services vehicle" or "vehicle" means any fire, rescue, emergency, and support vehicle, other than a vehicle assigned to the Police

Department, that is owned and/or maintained and/or fueled and/or insured by Pemberton Township.

Driver Requirements:

General Standards

Members of a volunteer emergency services agency may be authorized to drive an emergency services vehicle for the purpose of conducting official business of the agency, provided the member has a valid New Jersey driver's license appropriate to the vehicle being operated, has reasonable training and experience driving the type of vehicle being used, and could reasonably be expected to drive the vehicle in a safe and prudent manner.

In addition, a member of a volunteer fire service agency shall also satisfy the requirements of § 25-8 of the Pemberton Township Code. A member of a volunteer emergency medical services agency may be authorized to drive an emergency services vehicle (that is, an ambulance) provided the member is at least 19 years old, has served at least one year as a member of a Pemberton Township based volunteer emergency medical services agency, and has completed an approved driver's training course, including instruction in defensive driving.

Compliance with New Jersey law and this Vehicle Use Policy are required for any member to be allowed to drive an emergency services vehicle. Individual volunteer emergency services agencies may impose additional standards, restrictions or driver education or training requirements provided that at least the minimum standards set forth herein are also imposed by the agency. This Vehicle Use Policy is in addition to any requirements or standards imposed by law.

Drivers shall have in their possession a valid driver's license at all times they are operating any emergency services vehicle.

Motor Vehicle Records Check

Each agency shall annually submit to the Department of Administration a list of drivers together with their addresses, driver's license information, and a photocopy of each driver's motor vehicle license. The Department of Administration will perform, or have performed on its behalf, a motor vehicle record history for every driver at least one time per year. In the event that any driver is not insurable based on criteria established by the Township's insurance fund or based on the Driver's Guidelines listed below, the Department of Administration will notify the agency that the driver is not authorized to drive any emergency services vehicle.

Prior to allowing any new member or new driver operate any emergency services vehicle, the agency shall submit the member's name, address, driver's license information, and photocopy of his or her motor vehicle license to the Department of

Administration for purposes of completing a motor vehicle record history. The member shall not drive any vehicle until the Department of Administration approves the member's driving privilege.

Driver's Guidelines

No person shall be authorized to drive an emergency services vehicle if:

- A. The person's motor vehicle license is suspended or revoked; OR
- B. The person has been convicted of one or more of the following:
 - driving under the influence of alcohol or drugs
 - driving while intoxicated
 - refusing to submit to a breathalyzer or other blood alcohol content test
 - hit and run
 - eluding the police
 - reckless driving
 - negligent or criminal homicide arising out of the use of a motor vehicle
 - operating a motor vehicle during a period of suspension or revocation
 - using a motor vehicle without the owner's authorization (e.g., theft)
 - speed contest; OR
- C. Any combination of four (4) "at fault" accidents, "no fault" accidents, and/or moving violations.

Safety Issues:

- A. *Seat Belts.* Use of provided passenger restraint devices is required for all persons occupying the vehicle. It shall be the driver's responsibility to ensure that all occupants are properly secured before the vehicle is put into motion.
- B. *Smoking.* Smoking is not permitted in any emergency services vehicle owned in whole or in part by Pemberton Township.
- C. *Firearms.* Other than firearms carried by a law enforcement officer, firearms are not permitted in any vehicle.
- D. *Traffic Laws.* The driver is required to obey all State and Federal traffic laws pertaining to the safe operation of the vehicle. The driver shall be personally liable for any fines and traffic or parking violations received.
- E. *Alcohol and Drug Use.* No alcoholic beverages, illegal drugs, prescription drugs that could impair someone's driving ability, or controlled substances

shall be used or consumed by the driver or passengers of any emergency services vehicle.

- F. *Impairment.* Drivers are required to inform the Fire Chief of any changes that may affect either their legal or physical ability to drive or their continued insurability. Members of the agency are not permitted, under any circumstances, to operate a vehicle when any physical or mental impairment causes the member to be unable to drive safely. This includes circumstances where the member is temporarily unable to operate a vehicle safely or legally because of impairment, illness, medication or intoxication.

Acceptable Uses:

- A. Emergency services vehicles are to be used for official business only and must be considered a resource of the Township and not the property of any individual. Unauthorized personal use of vehicles is prohibited and shall be cause for loss of driving privileges, internal disciplinary action, and potential criminal action.
- B. Emergency services vehicles shall not be used as a means of transportation to any adult entertainment businesses (e.g., go-go bars) or any other business or establishment that will cause damage to the reputation and goodwill of the agency or Township.
- C. Only authorized persons may be transported in emergency services vehicles. Transportation of any unauthorized persons, including family members, is prohibited. The transportation of any infant or child who requires the use of a child safety car seat is also prohibited except in cases where the emergency services vehicle is being used for the treatment and/or transportation of the infant or child in the ordinary course of rendering emergency aid.
- D. In rare cases where an authorized non-agency passenger is in the vehicle when a call for emergency service is dispatched to the vehicle, the driver shall make a reasonable effort to safely discharge the passenger before responding at emergency speed. Where a safe discharge of the passenger is unreasonable, the driver shall direct the passenger upon arrival at the scene to exit the vehicle and to maintain a position outside the fire line or the perimeter of other types of emergency scenes until the scene is safe and secure or the passenger can obtain other transportation.
- E. Vehicles shall not be driven outside the boundaries of Pemberton Township or Pemberton Borough without the prior approval of the Mayor or Business Administrator except for the following reasons:

(i.) Providing "automatic aid" to other municipalities within Burlington County in cases where the automatic aid agreement has been approved by the Mayor.

(ii.) Providing "mutual aid" as prescribed in the Burlington County Mutual Aid Agreement.

(iii.) Off-site training that is required by State, Federal, and agency regulations.

(iv.) Conducting authorized agency or Township business.

F. In circumstances where an agency designates a vehicle for use by the agency's Fire Chief, the following policies and procedures shall be applicable *in addition to* all of the other policies and procedures contained herein.

(i.) The vehicle shall not be utilized as transportation to employment unless the Chief's employment is located within Pemberton Township or Pemberton Borough limits and the Chief is authorized by his or her employer, in writing filed with the Business Administrator, to respond to emergency calls during the Chief's regular work hours.

(ii.) The Chief may utilize the vehicle for personal transportation within Pemberton Township, Pemberton Borough and for a reasonable period of time into a reasonable distance in municipalities that border Pemberton Township provided that the Chief is available to respond to emergency calls; the Chief is not transporting unauthorized persons; and the Chief is available by radio at all times during which the Chief is using the vehicle for personal transportation.

(iii.) The Chief shall lock and secure the vehicle when he or she is not in sight of the vehicle.

(iv.) When the vehicle is used by the Chief for personal transportation, no items may be transported on or in the vehicle which requires any part of the vehicle to remain open. Furthermore, no items may be carried or tied to the vehicle body or protrude from within the vehicle.

(v.) In addition to other penalties provided herein, if the Chief is found by the Mayor or Business Administrator to be in violation of this policy, the Chief's vehicle use privilege may be suspended or revoked.

Accident Procedure:

In the event of an accident during the use of any emergency services vehicle, the following procedure shall be implemented:

- Stay calm. Promptly report the accident to law enforcement. Call an ambulance if anyone is injured. Assist the injured but do not render first aid unless you are properly qualified.
- Do not argue with other persons involved in the accident.
- Do not discuss what happened with anyone except law enforcement.
- Do not accept responsibility for the accident or sign any statement or release.
- Do not disclose insurance policy limits to anyone.
- Report the accident to the Fire Chief promptly. In cases where the Chief is involved in an accident, the Chief shall promptly notify the Mayor or Business Administrator.
- All vehicle accidents will undergo a review performed by the Pemberton Township Safety Committee.

Vehicle Maintenance:

The agency should inspect the fluids, tire pressure, lights and windshield wipers at least weekly. Drivers shall immediately report any vehicle malfunctions to the Chief or the Chief's designee so that corrective action may be taken.

Any damage to a vehicle shall be reported immediately to the Chief.