

FIRE SERVICES EXAMINATIONS BOARD

STUDY NOTE

EXAMINATION

LEADING FIREFIGHTERS EXAMINATION

PAPER

OPERATIONS

SUBJECT

OPERATIONAL PROCEDURES & INCIDENT
COMMAND

ITEM

PROCEEDING TO AN INCIDENT

STUDY NOTE No.

1103

INTRODUCTION TO THE STUDY NOTE

This study note has been prepared as the basis of study in connection with the qualifying examinations for promotion.

Candidates will be expected to demonstrate knowledge of the information contained in the study note and understand how it should be applied:

The 'References' made at the end of the Study Note are included for information only and candidates will not be expected to study these as part of the bibliography.

PROCEEDING TO AN INCIDENT

1. Introduction

With certain exceptions, fire service drivers are subject to the provisions of road traffic law. In particular, there is no exemption from the provisions governing dangerous driving, driving on the footway or verge, driving without reasonable consideration for others, stopping to report an accident, ignoring 'stop' signs, or dangerous parking. Nor are exemptions normally included in local traffic orders relating to one-way traffic routes and prohibition of right and left turns. When there are special provisions for the fire service, it is normally prescribed that drivers may take advantage of them only when it is necessary and safe to do so. The fire service driver remains responsible for the safety of his vehicle and for not endangering others.

On their way to an incident, at an incident or when going to standby, fire service drivers may exercise a discretion to take advantage of the provisions of traffic law summarised below under the conditions specified.

2. Road Traffic Regulation Act 1994

Section 87 - Exemption of fire engines, etc, from speed limits

No statutory provision imposing a speed limit on motor vehicles shall apply to any vehicle on an occasion when it is being used for fire brigade, ambulance or police purposes, if the observance of that provision would be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion.

3. Traffic Signs Regulations and General Directions 1994

Regulation 33(1)(b). Under this regulation a red traffic light may be treated as a 'Give Way' sign when observance would hinder the purpose for which the vehicle is being used and provided that no danger is caused to other road users and that the driver of another vehicle is not caused to change speed or course to avoid an accident. Taking advantage of this exemption is likely to bring a fire service vehicle into conflict with other road users including pedestrians, and it will almost always be necessary to reduce speed and use warning horns or bells as well as warning lights while doing so.

Regulation 33(3). Under this regulation light signals used to control vehicular traffic entering or passing along a motorway or dual carriageway do not apply to fire service vehicles when observance would hinder the purpose for which the vehicle is being used. *It should be noted that this exemption does not apply to alternately flashing red signals mounted side by side at railway level crossings and certain other places.*

Regulation 15(2) contains a qualified exemption for the drivers of vehicles being used for fire brigade purposes in respect of the sign consisting of a diagonal white arrow on a blue circular background which is commonly used on traffic bollards. Such drivers may pass the sign on the side opposite to that indicated by the arrow, provided that this is not likely to cause danger to any other vehicle or non-vehicular traffic, and when observance of the sign would hinder the purpose for which the vehicle was being used.

Regulation 23(3)(c) contains a further exemption permitting a vehicle being used for fire brigade purposes to stop in a controlled area alongside double white lines. The Regulations do not permit the crossing of white lines except to gain access to premises or a side road, to avoid stationary obstruction, or to comply with police directions.

4. **The Zebra, Pelican and Puffin Pedestrian Crossing Regulations and General Directions 1997**

Regulation 12(1)(e) contains a qualified exemption for the drivers of vehicles being used for fire brigade purposes on any occasion when observance of the prohibitions at Pelican Crossings conveyed by the steady amber and red signals would be likely to hinder the purpose for which the vehicle is being used, and provided that no danger is caused to any pedestrian using the crossing or to other road users and that the driver of another vehicle is not caused to change speed or course to avoid an accident.

Regulations 3(1)(f) contains a qualified exemption for the drivers of vehicles being used for fire brigade purposes on any occasion when observance of the prohibitions at Puffin crossings conveyed by the amber, red or red-with-amber signals would be likely to hinder the purpose for which the vehicle is being used, and provided that no danger is caused to any pedestrian using the crossing or to any other road users and that the driver of another vehicle is not caused to change speed or course to avoid an accident.

Regulations 21(c) enables a vehicle used for fire brigade purposes to stop in a controlled area of a Pelican, Puffin and Zebra crossing.

5. **Motor Vehicles (Wearing of Seat Belts) Regulations 1993**

The aforementioned exemptions principally concern drivers of fire service vehicles. However one exemption also concerns passengers.

Regulation 6(1)(f) exempts a person from driving or riding in a vehicle while it is being used for fire brigade purposes from the requirement to wear a seat belt.

Notwithstanding this exemption it has been strongly recommended that where seat belts have been fitted either voluntarily or as a requirement to fire service vehicles, the driver should wear his/her seat belt at all times. It has been strongly recommended that front and rear seat passengers wear a seat belt at all times, except in an appliance when it is necessary to don operational clothing or equipment.

The following exemptions from the need to wear seat belts are also of relevance to the fire service:

Regulation 6(1)(c) a driver performing a manoeuvre which includes reversing.

Regulation 6(1)(d) a driving instructor supervising a learner driver whilst the latter is performing a manoeuvre which includes reversing.

Regulation 6(1)(e) a driving examiner conducting a test when wearing a seat belt would endanger him/herself or any other person.

Regulation 2(7)(a) a driver or passenger occupying a seat for which the seat belt, being of the inertia reel type, has locked as a result of being on an incline.

6. Road Vehicles (Construction and Use) Regulations 1986

Regulation 37(5)(a). This permits vehicles used for fire brigade, ambulance or police purposes to be fitted with a gong, bell, siren, or two- tone horn. Continuous use may be justified in heavy traffic conditions, otherwise it may be necessary to use them only when other road users need to be warned of the presence of the vehicle.

Regulation 99(5)(a). This prohibits the use of audible warning instruments (eg horns, gongs, bells, sirens, two-tone horns) on a vehicle which is stationary on a road, at any time, other than at times of danger due to another moving vehicle on or near the road, or on a vehicle in motion on a restricted road between 23.30 hours and 07.00 hours in the following morning, except for a vehicle which is being used for one of the relevant purposes specified in Regulation 37(5)(a) and it is necessary or desirable to do so either to indicate to other road users the urgency of the purposes for which the vehicle is being used, or to warn other road users of the presence of the vehicle on the road.

Regulation 101(2)(a). This prohibits any person, except with the permission of a police officer in uniform, from causing or permitting any motor vehicle to stand on any road during the hours of darkness otherwise than with the left or near side of the vehicle as close as may be to the edge of the carriageway. Exemptions to this Regulation include any motor vehicle when it is being used for fire brigade, ambulance or police purposes ... if compliance with this Regulation would hinder or be likely to hinder the use of the vehicle for the purposes for which it is being used on that occasion, and also any motor vehicle on any road in which vehicles are allowed to proceed in one direction only.

Regulation 107(2)(a). This states that no person shall cause or permit to be on any road any motor vehicle which is not attended by a person duly licensed to drive it unless the engine is stopped and the parking brake is effectively set. Exemptions to the requirements of this Regulation as to the stopping of the engine include a fire brigade vehicle, the engine of which is being used for any fire brigade purpose.

7. Motorways Traffic (England and Wales) Regulations 1982 Motorways Traffic (Scotland) Regulations 1995

Regulation 16(1)(d) of the England and Wales Regulations and Regulation 14 of the Scotland Regulations permit any person in the exercise of his duty as a member of a fire brigade to use a motorway otherwise than in accordance with the provisions of the appropriate Regulations. The effect of this exemption would therefore allow a member of the fire brigade in the exercise of his duty to, stop on a carriageway, drive backwards or the wrong way or perform a U-turn.

However, in view of the dangerous traffic conditions on a motorway, advantage of this exemption should only be taken when essential, and be carried out so as to minimise any danger or inconvenience. Manoeuvres involving movement against the flow of traffic should only be undertaken with the assistance of the police.

References

Legislation, as stated.