

Sugar Loaf Fire Protection District

Code of Conduct / Motor Vehicle Violation Policy

1. PURPOSE:

The purpose of this procedure is to clearly establish the policy for driving privileges on Sugar Loaf Fire Department apparatus' following major or serious personal motor vehicle infractions. As SLFD vehicles are insured and our drivers covered on our policy it is important that vehicle and driver safety be ensured and SLFD not open to the additional liability of unsafe personal vehicle operation. For this purposes of this policy, we will be adopting the a similar impact of personal vehicle operation violation has on commercial drivers licenses (CDL) even though SLFD members are not required to have a CDL. This policy references the guidelines set forth here <http://www.drivinglaws.org/resources/traffic-tickets/commercial-license/colorado-commercial-drivers->

II. SCOPE:

Sugar Loaf Fire Protection Department personnel are subject to standards of performance not only for their specific job functions but also for their general conduct because they serve the taxpayers and visitors of the Sugar Loaf community. The public nature of their decision and commitment to volunteer requires that all personnel adhere to high driving standards in their personal vehicles.

Personnel are expected to exercise sound judgment in operating personal vehicles as that is a reflection of their driving habits when operating department equipment. They are expected to comply with all policies, procedures, and standards set forth by the SLFPD as well as all written motor vehicle laws of the state of Colorado. If the behavior or actions of any member of the volunteer fire department compromise their own safety or the safety of other department members, interfere with the ability of the department to perform, or bring discredit on the department and/or its volunteers, then such actions become a serious issue and will result in appropriate disciplinary action against the member concerned.

The standards set forth in these policies and procedures are not exhaustive of all appropriate responses and actions of personnel or list every possible situation. These policies shall be used by SLFPD personnel to provide guidance as to the principles and standards they should strive for in every situation. These rules are not all inclusive; disciplinary actions including termination may be administered for behavior or conduct not specifically discussed in this policy.

III. CAUSES FOR DISCIPLINARY ACTION

There are 2 stages of actionable discipline for personal motor vehicle violations

Serious Violations

Serious motor vehicle violations include

- Speeding excessively, involving any speed of 15 mph or more above the posted speed limit.
- Driving recklessly, as defined by Colorado law, including but, not limited to, offenses of driving a motor vehicle in willful or wanton disregard for the safety of persons or property.
- Making improper or erratic traffic lane changes.
- Following the vehicle ahead too closely.
- Violating Colorado law relating to motor vehicle traffic control (other than a parking violation) arising in connection with a fatal accident.

- Driving without a personal drivers license

Major violations

Major violations include

- Being under the influence of alcohol as prescribed by Colorado law.
- Being under the influence of a controlled substance.
- Having an alcohol concentration of 0.08 or greater while operating a personal motor vehicle
- Refusing to take an alcohol test as required by Colorado law under its implied consent laws or regulations.
- Leaving the scene of an accident.
- Using the vehicle to commit a felony.
- Driving a personal motor vehicle when, as a result of prior violations committed operating a motor vehicle, the driver's license is revoked, suspended, or canceled, or the driver is disqualified from operating a motor vehicle
- Causing a fatality through the negligent operation of a personal motor vehicle including but not limited to the crimes of motor vehicle manslaughter, homicide by motor vehicle and negligent homicide.
- Using the vehicle in the commission of a felony involving manufacturing, distributing, or dispensing a controlled substance.

IV. IMPLEMENTATION PROCEDURES:

- + All personnel will receive initial training on this policy.
- + A hard copy of this policy shall be made available to all members for reference.

Overall objective is to reduce departmental liability that staff inappropriate driving behavior can cause and discipline inappropriate driver behavior before the problem requires more severe action such as loss of driving privileges on SLFD apparatus

The SLFPD uses a progressive discipline procedure, and the action taken will depend on the degree and circumstances of the violation. Some violations that are considered severe may result in immediate termination from the department. This procedure is an effort to encourage personnel to fully understand the importance and weight of their actions while representing themselves as a departmental member.

V. PROGRESSIVE DISCIPLINE PROCEDURES

Serious Violations

The **first** violation for a serious violation does not result in a disqualification from driving SLFD vehicles. A second serious violation within 3 years, results in a 60 day disqualification, and a **third** serious violation within 3 years, results in a 120 day disqualification. Serious disqualifications must be served consecutively. Further violations beyond this amount will be addressed on a case by case basis.

Major Violations

The **first violation** for a major violation in a personal motor vehicle, results in a 1-year disqualification.

The **second violation** in a personal motor vehicle results in a lifetime disqualification of operating SLFD apparatus. The driver may be eligible for reinstatement under certain conditions after 10 years.

SLFD motor vehicle insurance may periodically pull driving records for the entire department as part of an internal audit as well as a check to keep SLFD insurance rates affordable. In the event of multiple serious violations or one major violation in the aforementioned time frame or one major violation, the firefighter is expected to self disclose this information to the chief and recuse one's self from operating SLFD vehicles for the time periods explained above.

VI. AUTHORITY AND EFFECTIVE DATE:

This policy replaces all previous SOPs relating to the overall guidance and procedures for code of conduct and discipline and is effective as of Dec 10, 2014.