



# Buxton Fire-Rescue

## Standard Operating Guideline

**Subject:** Incident Response Guidelines (3)

**Section:** Use of Red Lights in Personal Vehicles (1)

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### Purpose:

To establish a policy for the use of red lights in privately owned vehicles owned and operated by department personnel while responding to emergency incidents.

### Statement of Importance:

Members are reminded that the auxiliary red light is only a courtesy light and it does not give members the right of way. Should a member be involved in an accident while using an auxiliary light the member operating the vehicle will not be offered any protections from negligent operations and will be treated equally as any other civilian operator of a motor vehicle. It is also important to remember that your vehicle is not covered under the town's insurance policy when you are responding to any fire department event, including emergency responses.

It is important to understand that whether you are operating a personal vehicle or a department vehicle you must do so with "due regard" as stated in Title 29-A, and noted below:

*7. Duty to drive with due regard for safety. Subsections 4, 5 and 6 do not relieve the operator of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor do those subsections protect the operator from the consequences of the operator's reckless disregard for the safety of others.*

### Procedure:

1. Emergency auxiliary red lights on privately owned vehicles operated by department members should meet the requirements of Maine State Law Title 29A, Sub Section 2054, Paragraph F, Section (2) and (3).

*F. Only vehicles listed in this paragraph, rural mail vehicles as provided in paragraph C, subparagraph (5) and school buses may be equipped with, display or use a red auxiliary or emergency light.*

*(2) The municipal officers or a municipal official designated by the municipal officers, with the approval of the fire chief, may authorize an active member of a municipal or volunteer fire department to use one red or combination red and white flashing auxiliary light mounted as near as practicable above the front registration plate on the front of the vehicle, behind the rearview mirror or on the dashboard or 2 flashing red or combination red and white auxiliary lights mounted on the front of the vehicle above the front bumper and below the hood. The light or lights may be displayed but may be used only while the member is en route to or at the scene of a fire or other emergency. A light mounted on the dashboard or behind the rearview mirror must be shielded so that the emitted*

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*light does not interfere with the operator's vision. The use of lights may be revoked at any time by the fire chief.*

*(3) Members of an emergency medical service licensed by Maine Emergency Medical Services may display and use on a vehicle red or red and white combination flashing auxiliary lights of the same proportion, in the same location and under the same conditions as those permitted municipal and volunteer firefighters, when authorized by the chief official of the emergency medical service. The use of lights may be revoked at any time by the chief official of the emergency medical service. [2005, c. 299, §1 (AMD).]*

2. The use of any other types of emergency warning devices are prohibited on privately owned vehicles, including sirens and alternating headlights.
  - a. Exception: Chief Officers are allowed to install and utilize a siren/additional lighting as allowed by Title 29-A, in their personally owned vehicles, for use only during emergency response.
3. A red light permit must be obtained from the Chiefs Office before any member operates, or possess an auxiliary warning light on or in their privately owned vehicle.
4. The red light permit is issued to the individual member only. The use of the red light and the subsequent operation of the vehicle by any other person is illegal.
5. Personally owned vehicles are not considered emergency vehicles under Maine State Law, (other than Chief Officers Vehicles). Therefore Department personnel will follow all traffic laws when operating an emergency auxiliary red light on their personal vehicle. This includes posted speed limits, stop signs, traffic lights, right of way etc.
6. Fire Police members, once on scene and set up to control traffic, may remove their light from their dash board and place it on the roof of their vehicle for better visibility. This is only when the vehicle is parked and in use for traffic control.
7. Emergency warning lights will not be operated on personally owned vehicles outside the Town of Buxton, unless responding (with Buxton) to an emergency in that community.
8. Personnel should not use emergency warning lights when en route to a call in Buxton, if they are not in town.
9. Auxiliary warning lights shall not be utilized at any time while responding to Code 1 to an incident.
10. Chief Officers may revoke the red light permit of any member at any time for infractions of this policy.