

CDL Exemptions  
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Throughout most of this great nation, fire service personnel enjoy an exemption from the rules which say that driving trucks or buses over a certain weight requires a special commercial driver's license (CDL). Instead, most firefighters and other emergency service personnel are simply required to have a regular operator's license or other state permission without going through the testing and costs associated with the CDL. I believe this exemption is positive and necessary to provide an adequate fire fighting force and EMS presence and to maintain the public good.

Recently in New York State, through an inadvertent change in the wording of the law, this exemption for the state was narrowed to emergency response only, meaning going to the scene. Returning however required a CDL. As this is being written, bills have been submitted in the state legislature to change this, but let's take a closer look at the exemptions not just in New York, but throughout the country.

The Federal CDL rulings were instituted in 1986 for the safety of everyone. The law was designed to see that not just anyone was permitted to get behind the wheel of giant rig which could destroy anything in its path. The main purpose of the act was to improve highway safety by making certain that drivers of large vehicles such as trucks and buses have passed written and driving tests and are qualified to operate such vehicles as well as to remove drivers who are considered unsafe and unqualified. Due to a variety reasons, states were given the option to provide exemptions. Most gave those exemptions to emergency responders due to time and cost constraints.

Unfortunately, a very few took this exemption as a free pass to do whatever they wanted to do with regard to operating their apparatus or to do nothing at all. Actually, the exemption brings with it more responsibility than it relieves. The exemption places upon fire service leaders the requirement to see that emergency vehicles are operated in a safe manner since the operators have been given permission to operate these vehicles without proving their qualifications to their state. It means that fire service leaders must act more diligently to see that their vehicle operators are able to perform their tasks in as safe a manner as someone who has qualified for a CDL.

This means a complete fleet management program including:

**Driver Selection:** It is important to choose drivers who will operate the vehicle in the proper manner. Good judgment of personnel including a review of driving history is imperative to be certain that the proper members are entrusted with driving duties.

**Driver Training:** It is imperative that all drivers receive regular driver training. At a minimum, each should complete an EVOC course at least once every three years. In addition, regular refreshers should be administered between full programs. Statistics clearly indicate that regular driver training is a very effective means to reduce accidents.

**Driving Policy:** Your driving policy should be clear, concise, legal, monitored, and enforced. If any of these points are missed, the policy will most likely fail. The policy should cover the main points of vehicle operation such as stopping at all red lights and stop signs as well as particular obstacles faced in your primary response area as well as mutual aid issues. Like anything else in the emergency service arena, if there is no policy, there is confusion and in emergency vehicle operations, confusion is our enemy.

**Accident Investigations:** All accidents should be reviewed by a committee selected for this purpose. Finding the root cause of any accident can assist in developing policies to prevent recurrence. Also, it is an old risk management adage that when people know they will be held accountable for their actions they tend to act better.

**Dispatch Policy:** Do all units need to respond lights and sirens to every call? Probably not and not many fire departments and EMS organizations still operate that way. They have learned that reduction of lights and siren road time will result in fewer emergency vehicle collisions. Lights and sirens do serve a purpose and should definitely be utilized when they will assist in a positive outcome of a situation, but they should be used judiciously.

The CDL laws were developed to protect you, your loved ones, and everyone else on the road. An exemption to the law does not exempt emergency service personnel from operating their vehicles as safely as they would if they had a CDL, nor does it exempt emergency organization leadership from the duty to see that their vehicles are operated safely. The safe operation of emergency service vehicles can **never** be exempted.