



**DEPARTMENT OF FINANCIAL SERVICES**

*Division of State Fire Marshal  
Bureau of Fire Standards & Training*

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**Title: SAFETY ARTICLE: Emergency Response**

**Release Date: June 6, 2012**

Our concern with safety includes not only ourselves but extends to those we serve. Every time we are dispatched to a call, we have option of traveling with the flow of traffic or proceeding with lights and sirens. Every time we activate lights and sirens, we elevate the risk to ourselves and those we share the roads of Florida with. What does an “authorized emergency vehicle” (the definition can be found in Florida Statute at 316.03) gain by using lights and sirens (running hot)?

According to Florida Statute 316.072(5) when an authorized emergency vehicle responds to an emergency call or fire alarm, the driver may:

- Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- Exceed the maximum speed limits so long as the driver does not endanger life or property.
- Disregard regulations governing direction or movement or turning in specified directions, so long as the driver does not endanger life or property.

Notice that each ability comes with a caveat that implies fault should there be an incident. As an example, the authorized emergency vehicle driver slows, then proceeds through a stop sign and a crash ensues. The assumption to be disproved will be that the driver did not slow down sufficiently to ensure safe operation.

At the end of the statute is the following statement regarding running hot. “The foregoing provisions shall not relieve the driver of a vehicle specified in paragraph (a) from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his or her reckless disregard for the safety of others.”

Reckless disregard for the safety of others is about as strong as you can get in statute. It sets the tone that if there is a crash while we are running hot, we are guilty until proven innocent.

Another Florida Statute, 316.126 “Operation of vehicles and actions of pedestrians on approach of authorized emergency vehicle” speaks to emergency vehicle operations by specifying the actions of emergency vehicles and all other vehicles:

According to 316.126, every other vehicle and pedestrian shall yield the right-of-way to an emergency vehicle enroute to an existing emergency and giving audible signals by siren, exhaust whistle or other adequate device or visible signals by the use of displayed blue or red lights.

Every other vehicle yielding right-of-way shall immediately proceed to a position parallel to, and as close as reasonable to the closest edge of the curb of the roadway, clear of any intersection and shall stop and remain in position until the authorized emergency vehicle has passed, unless otherwise directed by any law enforcement officer.

This statute has two statements that place further responsibility upon the emergency vehicle driver for any incident while running hot:

- “Nothing herein contained shall diminish or enlarge any rules of evidence or liability in any case involving the operation of an emergency vehicle.”
- “This section does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.”

On top of all the other considerations with regard to running hot, comes the requirement that you be enroute to an “existing emergency”. What is an emergency with regard to running hot? An emergency is a situation or condition where the actions of the emergency vehicle operator will have a direct impact upon the outcome of the situation. Nationally, only about 5% of our calls are emergencies.

How can we reduce the risks associated with running hot? The answer is simple - do not use them when you do not have to. Some examples:

- If you are on the interstate / turnpike running hot and everyone else is passing you, shut down your lights and siren and wait until you exit to engage them again.
- If you are on a narrow two lane road with nowhere for the vehicles in front of you to go, shut down your lights and siren until an opportunity for them to pull over presents.
- If you are grid locked with nowhere to go, shut down your lights and siren.

Over the years there are questions that have been asked repeatedly:

- Do we have to run lights and sirens every time we respond to an emergency? The answer is no.
- When we have patients on the ambulance, we have to run at least lights, right? Wrong
- Where in the statutes can I find the information regarding emergency vehicles? 316.126, 316.075 and with regard to warning lights for volunteer firefighters 316.2398.
- Do we have to use both lights and sirens when running hot? While the Statute says no, industry practice says yes. Run hot with all you got!

The Safety Section has a power point on response that encompasses the four components of response (Process, Reaction, Travel and Deployment). If you would like a copy, email me at the address below.

Another great read is “**Guide to IAFC Model Policies and Procedures For**

**Emergency Vehicle Safety”** at

[http://www.iafc.org/files/downloads/VEHICLE\\_SAFETY/VehclSafety\\_IAFCpolAndProceds.pdf](http://www.iafc.org/files/downloads/VEHICLE_SAFETY/VehclSafety_IAFCpolAndProceds.pdf) and is the

As always, your feedback, comments and questions are appreciated. Do not hesitate to contact Charlie Brush at 352-367-2836 or [charlie.brush@myfloridacfo.com](mailto:charlie.brush@myfloridacfo.com)