

FLORIDA HIGHWAY PATROL POLICY MANUAL

	SUBJECT ESCORTS FOR OVERDIMENSION VEHICLES OR TOXIC/HAZARDOUS CARRIERS	POLICY NUMBER 5.10
	APPLICABLE CALEA STANDARDS	ISSUE DATE 02/01/96
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5.10.01 PURPOSE

To specify procedures governing escort services for over-dimensional vehicles or toxic/hazardous carriers.

5.10.02 POLICY

It is the policy of the Florida Highway Patrol to employ measures which will enhance public safety and ensure compliance with regulatory provisions pertaining to the transportation of toxic or hazardous substances or to load bearing vehicles which exceed weight or dimensional limits.

5.10.03 DEFINITIONS

Definitions presented in Chapter 5.08 apply to this directive as well and are incorporated by reference.

- A. **COMMERCIAL VEHICLE** - Any self-propelled or towed vehicle used on the public highways to transport passengers or cargo, as defined in Section 316.003(66), Florida Statutes. FOR PURPOSES OF THIS POLICY ONLY, such vehicles that are owned by components of government are excluded from the definition.
- B. **OVERDIMENSION VEHICLES** - Any commercial vehicle which exceeds specifications for width, length, or height stated in Section 316.515, Florida Statutes, or weight as defined in Section 315.535, Florida Statutes.
- C. **TOXIC/HAZARDOUS CARRIERS** - Any commercial vehicle engaged in the transportation of any explosive or hazardous compounds, as defined in Chapter 316, Florida Statutes.

5.10.04 OBJECTIVES

- A. To ensure public safety by promoting strict adherence to statutory and regulatory provisions relating to the transportation of toxic/hazardous substances or over-dimensional loads by commercial carriers.

- B. To promulgate administrative procedures for approval/disapproval of any proposals for off-duty police employment by Division members, pertaining to the escorting of over-dimensional commercial vehicles or toxic/hazardous carriers.

5.10.05 RESPONSIBILITIES

- A. Except as noted below, any person, firm, or corporation, that proposes to arrange for services involving escorting any commercial vehicle which exceeds dimensional specifications or which contains any toxic or hazardous substance(s), must prepare and submit a plan outlining measures which will be initiated to ensure public safety, in conjunction with any request for such escorts involving any Florida Highway Patrol personnel.
- B. Members who:
 - 1. Regularly engage in off-duty police employment involving the escorting of over-dimension/hazardous/toxic substance carriers shall assume responsibility for notifying such firms of requirements necessary to achieve compliance with the provisions of this section.
 - 2. Propose to provide such escorts, must obtain written authorization from their Troop Commander before such services may be provided.
- C. Responsibilities of Troop Commanders shall be limited to reviewing and approving/disapproving requests for escorts which are initiated pursuant to the provisions of this directive and for retaining copies of documents submitted for their approval.

5.10.06 PROCEDURES

- A. ESCORTS INVOLVING MEMBERS IN ON-DUTY STATUS
 - 1. The Division's patrol resources shall not be devoted to servicing requests for escorts for over-dimensional vehicles and toxic/hazardous carriers, unless such escorts are provided:
 - a. For purposes of alleviating an existing hazard or in furtherance of an equally vital public safety concern.
 - b. In accordance with requests initiated by components of government, where vital public safety or security interests are at stake.
 - 2. When exigent circumstances prevail, involving public safety or security or vital governmental interests, Troop Commanders may waive compliance with the provisions of Section "B" below.
- B. OTHER ESCORTS
 - 1. Escorts not involving over-dimensional vehicles or toxic/hazardous carriers may be undertaken as secondary police employment provided the escort serves a specific public purpose. Such examples

of an acceptable escort would be escorting a collegiate or professional sports team to and/or from a sporting event. An example of an unacceptable escort would involve funeral processions.

NOTE: The Director or his designee shall have final authority on granting permission for escorting other vehicles (For example: Emergency Vehicles in crisis situations) and the handling of special request funeral processions dealing with individuals who were members of the law enforcement community or Governmental dignitaries.

WARNING: As previously stated in Section 5.08.06.EG.2, state benefits, including liability insurance and worker's compensation coverage, do not apply when members are engaged in private sector off-duty police employment. However, coverage will be restored if during the course of such private sector employment, it becomes necessary for the member to employ police authority or perform law enforcement services which he/she would normally be called upon to provide while serving in an on-duty capacity.

2. Members shall be permitted to engage in off-duty police employment involving the escorting of commercial vehicles which exceed weight or dimensional restrictions or which contain hazardous or toxic substances, provided written approval for each escort undertaken is obtained from the member's troop commander. The provisions of Chapter 5.08 shall govern off-duty police escorts undertaken on behalf of governmental entities.
3. At no time are escorts permitted to exceed the posted speed limit.
4. Unless exigent circumstances prevail, requests for approval should be submitted at least five working days prior to the date on which the proposed escort is projected to take place. The following documents must accompany each such request:
 - a. DHSMV Form #61205 for each participating member, bearing appropriate notation and conspicuously marked "Commercial Vehicle Escort" in the uppermost margin of the form.
 - b. A safety plan prepared by the person, firm or corporation requesting escort services. Such plan shall at minimum include:
 - (1) A description of the material to be transported.
 - (2) The dimensions of the load bearing vehicle, including:
 - (a) Length.
 - (b) Width.

- (c) Height.
 - (d) Minimum vertical body or load clearance.
 - (e) Gross Weight.
- (3) A map depicting/listing or outlining the route to be taken.
- (4) A timetable outlining the approximate time when the escorted vehicle is expected to pass through each city (over 10,000 populations) along the route.
- (5) Authentication that appropriate county and municipal authorities along the route have been contacted and,
- (a) Advised of the time and date the escorted vehicle will pass through their respective jurisdictions.
 - (b) Issued any required permits.
 - (c) Provided a listing of telephone numbers for emergency service agencies including fire, police and ambulance (unless "911" service is available). When hazardous or toxic substances are being transported, telephone listings for the Division of Emergency Management, the Chemical Transportation Emergency Center (CHEMTREC) and the National Response Center (NRC) must also be obtained.
- (6) Unless the route taken is via the interstate or other controlled access highway system, authentication that railroad and utility companies and other private entities from whom authorization for access must be obtained by law or permit have been contacted and:
- (a) Approval for access, passage or assistance provided.
 - (b) The names, position titles, and telephone numbers of persons that must be contacted in the event of an emergency have been listed.
- (7) A listing of any safety apparatus installed on the load-bearing vehicle.
- (8) Copies of any permits issued by the Florida Department of Transportation or by any component of county or municipal government.

- (9) A release of liability, bearing the signature of an officer of the firm or corporation or the person who contracts for the services of escorting officers.
 - c. Proof of liability insurance as required in Section 5.08.06(E)(2).
5. Multiple escorts involving cargoes, routes and load vehicle dimensions that are scheduled to take place on the same day or at successive intervals during any 90 day period may be summarized on a single safety plan, provided a "multiple escorts" entry is placed in the "special notes" field on the safety plan and the timetable reflects respective times and dates when escorts are to take place. If two or more members are to share escort duties, DHSMV 61205 forms for each participating member must be submitted with the safety plan.
 6. Individual Troop Commanders are at liberty to approve/disapprove off-duty escorts and accompanying safety plans without prior consultation with other command personnel. However, if the route of the escort extends beyond the geographical limits of any troop, copies of the plan shall also be supplied to other troop commanders along the path taken by the escorted vehicle. Finally, a copy of DHSMV 61205, which reflects the decision of the Troop Commander and the safety plan, will be returned to member(s) who initiated the request, and a copy shall be retained at troop headquarters.
 7. Upon receipt of the Troop Commander's response, members will contact the person, firm or corporation that requested escort services and apprise that entity of the Troop Commander's decision. Safety plans which have been rejected may be amended and resubmitted in accordance with procedures specified herein.
 8. Before initiating the escort or permitting the load-bearing vehicle to be placed in motion, members shall inspect it and verify compliance with:
 - a. Dimensional specifications outlined on the safety plan.
 - b. Safety requirements identified pursuant to the issuance of any permits.
 - c. Members shall also:
 - (1) Verify the validity of the operator's driver license.
 - (2) Note restrictions contained thereon.
 - (3) Ensure operator is in compliance with provisions of Section 316.302, Florida Statutes, entitled "Commercial Motor Vehicles; Safety Regulations;

Transporters and Shippers of Hazardous Materials;
Enforcement".

9. Copies of the safety plan shall be maintained in each Florida Highway Patrol vehicle assigned to the escort.
 - a. At least two marked Florida Highway Patrol vehicles will be assigned to each escort. Escorting vehicles shall generally keep station not more than 300 feet in front of/behind the load-bearing vehicle. At least one of the escorting vehicles must be equipped with a cellular telephone which must be supplied by the member at his/her own expense or by the person, firm or corporation which requests the escort.
 - b. House trailers (or equivalent units) may be escorted by a single Florida Highway Patrol vehicle, provided a second vehicle, bearing appropriate warning devices is operated in trail behind the load bearing vehicle.
10. Breakdowns or other unforeseen occurrences may disrupt escorts. When such circumstances prevail, the firm which requests the escort services will develop an adjusted timetable. Members shall apprise the troop commander of these modifications to the original safety plan and obtain approval for any changes. Members shall also initiate measures designed to ensure that county and municipal authorities are acquainted with timetable revisions and that utility and railroad companies and other private entities that will provide assistance or authorization for access are notified as well, if appropriate.

C. OTHER PROVISIONS

No portion of this directive shall be construed as restricting the ability of command personnel or law enforcement officers in the field to alleviate threats to public safety or to deal with law enforcement emergencies.

SAFETY PLAN

OVERDIMENSION VEHICLES

TOXIC/HAZARDOUS CARRIERS

DATE PREPARED: _____

PREPARED BY (NAME): _____

REPRESENTING (NAME OF CARRIER): _____

CARRIER ADDRESS: _____

CARRIER TELEPHONE NUMBER: _____

CONTENTS OF LOAD: _____

DESCRIPTION OF LOAD BEARING VEHICLE (INCLUDING LOAD)

HEIGHT: _____ FT. _____ IN. NUMBER OF AXLES: _____

LENGTH: _____ FT. _____ IN. MINIMUM AXLE CLEARANCE: _____

WIDTH: _____ FT. _____ IN. GROSS WEIGHT (LBS): _____

SPEED: _____

INCLUSIVE DATES OF TRIP

BEGINNING: _____ AM/PM ON DATE: _____

ENDING: _____ AM/PM ON DATE: _____

POINT OF ORIGIN: _____

DESTINATION: _____

ROUTE (ATTACH COPY OF MAP): _____

SAFETY APPARATUS _____

PROVIDED BY CARRIER: _____

SPECIAL NOTES: _____

TIME TABLE

DEPART	TIME	DATE	ARRIVE	TIME	DATE

EMERGENCY SERVICE AGENCIES*

AGENCY	TELEPHONE NUMBER	AGENCY	TELEPHONE NUMBER

***NOTE:** Listings for emergency service agencies are not required in areas serviced by a "911" system.

RAILROAD/UTILITY CONTACTS*

AGENCY/FIRM NAME	CONTACT PERSON	TELEPHONE NUMBER

***NOTE:** Listings for railroad/utility contacts are not required if such entities are unaffected by the passage of the load.

CERTIFICATION

I, _____, _____, authorized
(Name of signatory) (Title)
to act on behalf of _____
(Name of transportation firm)

certify that _____
(Name of transportation firm)

shall be responsible and held liable for accidents, damage, and injury to person(s) or property resulting from the transportation of material referenced above upon the highways of the State of Florida. I also understand that I am responsible for any safety requirements, including those specified on any permits issued by the Florida Department of Transportation or components of county or municipal governments. I further certify that all required permits have been obtained, that appropriate components of county and municipal governments along the specified route have been supplied with the timetable referenced above. I also affirm that all railroads, utility companies, and other private entities, from which assistance or authorization for access must be obtained, have been contacted and have granted approval for passage and/or assistance.

The _____ agrees
(Name of transportation firm)

to indemnify, hold harmless, and defend the Florida Department of Highway Safety and Motor Vehicles, the Florida Highway Patrol and its agents and officers, from any and all actions, causes of actions, claim suits, or judgments whatsoever, in connection with any loss, cost, or expenses, including attorney's fees resulting from injury or death of a person or persons, and loss of or damage to property caused by, resulting from, or in any way associated with the proposed move within the right-of-way above referenced and the blockage of the streets. If the Florida Department of Highway Safety and Motor Vehicles, in the enforcement of any part of this indemnity contract, shall incur necessary expenses, or become obligated to pay attorney's fees or court costs,

_____ agrees to reimburse the Florida Department of Highway Safety and Motor Vehicles for such expenses, attorney's fees, or costs within 21 days after receiving written notice from the Florida Department of Highway Safety and Motor Vehicles of the incurring of such expenses, costs, or obligation.
(Name of transportation firm)

Conditions Accepted By:

Signature Date

AFFIDAVIT

STATE OF _____

COUNTY OF _____

Before me personally appeared the said _____, who says that he/she executed the above instrument of his/her own free will and accord, with full knowledge of the purpose therefore.

Sworn and subscribed in my presence this _____ day of _____, 20_____

My commission expires _____ 20_____ Notary Public

Personally Known _____ OR Produced Identification _____

Type of Identification Produced: _____