

**DHSMV • FHP**  
**Interstate 75 Incident**  
**Agency Response**



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# EXECUTIVE SUMMARY

## ***PAYNES PRAIRIE INCIDENT***

At approximately 4:00 AM on Sunday, January 29, 2012, a series of multiple-vehicle collisions occurred within a localized area of smoke-induced low visibility on Interstate 75 in the area of Paynes Prairie south of Gainesville. Crashes occurred in both the northbound and southbound lanes involving 24 vehicles in 6 crashes that resulted in 11 fatalities and 46 known and reported injuries.

Understanding that a review of the circumstances leading up to the crashes could assist in reducing the likelihood of similar future incidents, the Florida Highway Patrol (FHP) requested the Governor to have an independent review of the events preceding the crashes conducted. Governor Rick Scott directed the Florida Department of Law Enforcement (FDLE) to undertake such a review. The FDLE presented their findings and recommendations in a report published April 26, 2012.

## ***SMOKE/FOG INCIDENTS***

The term “smoke/fog” refers to the combination of smoke and fog or smoke alone. The FHP routinely monitors brush fires, wild fires and prescribed burns and their effect on roadway visibility. In 2011, the FHP received calls on over 700 fires statewide and troopers monitored adjacent roadways for reduced visibility. Not all of these brush fires produced smoke/visibility incidents which affected roadways or resulted in roadway closures. The University of Florida’s GeoPlan Center analyzed Florida traffic crash reports from 2008 through 2011. They found that vision obstruction due to smoke rarely contributes to crashes and is represented in approximately one tenth of one percent of all crashes. Despite the infrequency of these occurrences, the FHP is researching ways to enhance safety during such weather events.

The FDLE report appropriately cites the Interstate 4 incident in 2008 as a catalyst for changes in FHP policy, procedures and training. Policies were enhanced to ensure proper monitoring of smoke/fog incidents. During the Paynes Prairie incident, the FHP staffing was increased and the road was closed for approximately two and one-half hours due to low visibility and in the interest of public safety. The determination to reopen the road was made by the on-scene Incident Commander, based on his personal observations and assessments about the roadway visibility. While clear conditions predicated the decision to re-open Interstate 75, variables affecting visibility suddenly and significantly changed causing smoke on the roadway that subsequently contributed to the crashes.

## ***POLICY***

FDLE correctly stated in their report that there are no national or state policies, guidelines, or procedures to address the closing, or more importantly, reopening of a roadway during smoke/fog related incidents.

FHP policies are focused on staffing and monitoring smoke/fog situations. Absent quantifiable inputs, decisions concerning roadway closures are appropriately made on a case-by-case basis by on-scene personnel, based on their assessment of visibility, safety and other factors.

The FHP is presently reviewing policies, procedures, guidelines and training relating to smoke/fog incidents. In addition, the FHP is implementing annual training addressing smoke/fog incidents, the Highway Safety Smoke Management Interagency Agreement, the Florida Open Roads Policy, Traffic Incident Management, Rapid Incident Scene Clearance and the use of the Low Visibility Occurrence Risk Index. The FDLE report makes several policy recommendations.

The FHP is in the process of or has already enhanced our guidelines, policies and procedures, including:

- Clarifying the existing Shift Commander Protocol Policy to designate a Troop Watch Supervisor. This practice was previously in place.
- Refining procedures to initiate and terminate Computer Aided Dispatch incidents.
- Developing an Electronic Notification and Reporting System for briefing supervisors and enhancing communications.
- Enhancing guidelines for assessing the opening of closed roadways.

In addition, the FHP is reviewing current policies to refine the Incident Command System, incident checklists and other protocols.

## ***PARTNERSHIPS***

The FHP, Florida Forest Service and the Florida Department of Transportation are reviewing and updating the Highway Safety Smoke Management Interagency Agreement for improvements. The FHP and Florida Department of Transportation are reviewing and revising the Florida Open Roads Policy.

## ***DRIVER BEHAVIOR***

The FDLE report addresses the policy, procedures and training relative to this event. Driver behavior, which was not addressed, contributed to the crashes. Drivers of vehicles are responsible for adapting to roadway conditions, including weather, in accordance with Florida Statutes. The investigations of the crashes that occurred during the 4:00 AM hour determined that the smoke rapidly reduced visibility and, in response, some drivers stopped in the roadway. Despite the presence of Fog/Smoke warning signs, some drivers did not take proper precautions and slow their speeds to prepare for reduced visibility. This reaction to environmental conditions warrants additional outreach for driver awareness. Also, drug/alcohol use was confirmed on the part of several of the drivers.

## **CONCLUSION**

The FHP's mission is to promote a safe and secure Florida through professional law enforcement and traffic safety awareness. The FHP's review of the events of January 29, 2012, found its members acted reasonably. Any loss of life or injuries on Florida roads is a concern to the FHP, and the FHP intends to do what it can to reduce traffic crashes in Florida.

The existence of the Paynes Prairie fire was recognized and the FHP along with the Alachua County Sheriff's Office, Gainesville Police Department and Florida Department of Transportation responded to close the roads and monitor the conditions. The FHP alone increased its staffing level four-fold from the normal two troopers to eight members, including a sergeant and a lieutenant. These members continued to monitor the roadway conditions throughout the night.

Prior to the crashes, the roadways were closed and conditions monitored. Before the road was reopened, personnel observed conditions that would not normally warrant a road closure; however, the road remained closed as a precaution. After continued monitoring, the on-scene Incident Commander made the decision to open the road under clear conditions. Response personnel continued to drive through the area at approximately 10-minute intervals and noted no significant smoke or fog until the time the crashes occurred. The rapidly changing conditions that morning in such a localized area could not be predicted with any degree of reliability. The FHP relies upon and trusts its members to use sound judgment in their decision making. It is the responsibility of the FHP to provide its members with the training and guidance necessary to make those decisions, and the FHP is committed to taking the lessons learned from this incident to enhance policies and training that refine our members' skills. Even if each of the recommendations made by the FDLE in its incident review were to have been present or occurred that night, it is probable the same decision would have been reached. Also, no amount of planning or policy will take the place of driver reaction to low visibility and unpredictable conditions.

The FHP is in the process of reviewing policies, procedures and guidelines to ensure the most effective response to smoke/fog incidents. The FHP has reviewed and is updating its agreements with its partner agencies and is in the process of planning a public awareness campaign addressing driving in smoke/fog conditions. In addition, the agency is implementing further training regarding smoke/fog incidents which shall be provided annually to all sworn personnel.

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# INTERSTATE 75 INCIDENT

## AGENCY RESPONSE

### **INTRODUCTION**

At approximately 4:00 AM on Sunday, January 29, 2012, a series of multiple-vehicle collisions occurred within a localized area of smoke-induced low visibility on Interstate 75 (I-75). This area, covering ¼ to ½ mile on I-75, in what is known as the Paynes Prairie area, south of Gainesville, Florida. Collisions occurred in both the northbound and southbound travel lanes of I-75.

The collision sequence initiated when lead vehicles entered dense smoke and reportedly slowed to a near stop or actually did stop in the travel lanes, and consequently were struck. As subsequent vehicles entered the dense smoke, some drivers slowed their vehicles drastically as they entered while others did not. Additional collisions occurred as vehicles drove into the smoke and wreckage area at varying speeds. Within this area, 6 crashes occurred ultimately involving 24 vehicles and resulting in 11 fatalities and 46 known and reported injuries (see Appendix A).

Following the crashes, the Florida Highway Patrol (FHP) requested the Governor to have an independent review of the events preceding the crashes conducted. Governor Rick Scott directed the Florida Department of Law Enforcement (FDLE) to undertake such a review. The FDLE presented their findings and recommendations in a report published April 26, 2012.

### **BACKGROUND**

On January 28, 2012, a brush fire started in the Paynes Prairie Nature Preserve, east of US-441 and approximately one mile east of I-75. The initial report of the fire occurred at 2:47 PM and Florida Forest Service (FFS) and Alachua County Fire units responded to the fire location. The FFS notified both the Florida Department of Transportation (FDOT) and the Florida Highway Patrol (FHP) Jacksonville Regional Communication Center (JRCC). The FHP noted the call in the Computer Aided Dispatch (CAD) and dispatched units to check on road conditions in the area. The FDOT responded and placed Fog/Smoke warning signs on US 441 and I-75 (see Appendix A).

The fire was contained and encompassed roughly 60 acres of mostly dead vegetation and brush. At 8:29 PM, an FHP sergeant checked the visibility conditions in the Paynes Prairie area. The sergeant reported no visibility issues or any signs of an active fire to the JRCC. All fire personnel had left the scene and the CAD incident was closed. There were no visibility issues reported to the JRCC until a crash was reported at 11:35 PM on US-441 in the Paynes Prairie area. Subsequently, I-75 and US-441 were closed due to low visibility. Southbound I-75 traffic was detoured onto SR-121 south to the city of Williston and then onto US 27 into Ocala. Northbound I-75 traffic was detoured onto CR-234 and then south on US-441, east onto CR-318, and then north on US 301 (see Appendix B).

The term smoke/fog refers to the combination of smoke and fog or smoke alone. The FHP monitors brush fires, wild fires and prescribed burns and their effect on roadway visibility. In 2011, the FHP received calls on over 700 fires statewide, and troopers monitored adjacent roadways for reduced visibility. Not all of these brush fires produced smoke/visibility incidents which resulted in roadway closures.

The University of Florida's GeoPlan Center, a Geographical Information Systems (GIS) teaching and research center, analyzed over 1.3 million Florida traffic crash reports from 2008 through 2011. Their analysis found that vision obstruction due to smoke is rare. Of the 1.3 million records, only 1,503, or 0.11%, occurred when the drivers' vision was obstructed by smoke/fog. The FDOT conducted an analysis of traffic crashes during the three-year period of 2008 through 2010, on I-75 in the Paynes Prairie area. During that time 276 crashes were reported, an average of 92 per year. Of those crashes only three, or 1% reported having fog conditions and none of the crashes reported smoke conditions. The 2011 crash data is incomplete as of the release date of this report; however, preliminary research indicates 52 crashes occurred in the Paynes Prairie area last year, with none of the crashes reporting fog or smoke conditions.

## ***FINDINGS, RECOMMENDATIONS AND RESPONSES***

### **FDLE Finding 1**

The Florida Highway Patrol (FHP) Communications Center failed to adequately relay information received from the Florida Forest Service (FFS) regarding the Paynes Prairie Fire. This led to the premature closing of the Paynes Prairie Fire incident in the FHP CAD system and resulted in incomplete and inaccurate information being provided to FHP field personnel throughout the night. Subsequently, US 441 and Interstate 75 were not effectively monitored for visibility throughout the night, as requested by FFS.

### **FDLE Recommendation 1**

FHP should maintain a list of daily fire reports, with information provided by FFS. This list should be independent of the FHP Computer Aided Dispatch (CAD) system. The list should be accessible by FHP troop personnel for evaluation in the field. FHP Communications Centers should also ensure the dissemination of this information to the field supervisors who will utilize the information when evaluating potential hazards that may impact highway safety in their areas.

### **FHP Response**

The closing of the original Paynes Prairie Fire Incident from the Computer Aided Dispatch (CAD) system was not a factor in the crashes that occurred the next morning. Additional CAD incidents were opened the night of January 28, 2012, and the early morning of January 29, 2012, when smoke/fog affected visibility on US-441 and I-75. The FHP was aware of the Paynes Prairie fire and, along with the Alachua County Sheriff's Office (ACSO) and Gainesville Police Department, responded to close US-441 and I-75 as well as monitor the conditions. The FHP alone increased its staffing level four-fold from the normal two troopers to eight members,

including a sergeant and a lieutenant. These members continued to monitor the roadway conditions.

The FHP recognizes that inter-agency communication is essential to managing incidents and continually works with its emergency response partners to ensure open lines of communication are maintained. While the specific CAD entry was not an issue, the FHP realizes there is an opportunity to improve operations. Procedures for entering and closing a wildfire incident in the CAD are under review and procedures are in development to ensure both the accuracy of information and consistency between the seven Regional Communications Centers (RCC).

On May 2, 2012, the FHP directed all Patrol Commanders to designate one supervisor per shift to serve as the Troop Watch Supervisor (TWS). This clarified the existing Shift Commander Protocol Policy and makes it applicable to all patrol supervisors. The directive also requires each outgoing supervisor to debrief the incoming TWS with any ongoing issues at the end of each shift. The outgoing TWS will also utilize an electronic Notification and Reporting System form to document the briefing and simultaneously notify his/her chain of command. A similar debriefing system for Duty Officer Supervisors in the RCCs to ensure the flow of relevant information between shifts will be implemented by August 15, 2012. The FHP is researching the use of the agency's intranet to post electronic checklists for critical incidents.

## **FDLE Finding 2**

Located within the FHP Policy Manual is Policy 17.17 Traffic Direction and Control. This policy's stated purpose is "to provide uniform guidelines for the directing and controlling of traffic." Currently, many traffic-related issues, such as the closing and opening of roadways and how to respond to issues involving a combination of smoke and fog on a roadway, are only addressed in Policy Number 17.14 Shift Commander Protocol.

FHP personnel did not adhere to Policy Addendum 17.14-19 Checklist-Smoke/Fog Incidents, contained within Policy 17.14 Shift Commander Protocol. Specifically, the Florida Forest Service was not notified of the smoke/fog incident, a spot weather check from the National Weather Service was not obtained and an evaluation of the current Low Visibility Occurrence Risk Index (LVORI) level was not completed.

Current FHP Policy 17.14 Shift Commander Protocol lacks clarity in its definition of "Shift Commander," thus leading to confusion among FHP command personnel as to where responsibility lies for adherence to the checklists. Additionally, current opinion among FHP personnel suggests that adherence to the checklists is not mandatory.

## **FDLE Recommendation 2**

All FHP policies related to traffic control should be clearly documented under one section within the FHP Policy Manual. Rather than suggesting "guidelines," the policies should specify mandatory protocols to be followed during all incidents affecting traffic flow and roadway safety.

## FHP Response

The FHP has researched State Police agencies nationally to locate standard practices and procedures relating to the opening and closing of roadways in low visibility conditions. As delineated in the FDLE report, no examples were found.

While grouping all road closure operations into one policy with mandatory protocols may appear a viable solution, the recommendations fail to address the differences between road closures in a stable versus unstable environment. Roadways are usually closed in a stable environment due to an obstacle, hazard or obstruction of some kind and the roadway is reopened when the hazard is physically removed and the roadway is safe for vehicle travel. During low visibility events (as well as those involving other natural hazards such as wind, water or ice), unstable environmental conditions require a different approach. In such events, the FHP utilizes subject matter experts, who assist the Incident Commander in making an informed decision concerning traffic flow and/or roadway safety. For this reason, "guidelines" provide the flexibility required for the Incident Commanders to factor all available information into decisions.

As a result of a smoke/fog incident that occurred January 8, 2008, on Interstate 4 in Polk County, the FHP implemented several changes to its policies and procedures. These changes included: revising the Shift Commander Protocol Policy to expand its scope to Troop Watch Commanders; implementation of a checklist specific to smoke/fog incidents, regulating the deployment of additional personnel as needed; and introducing training for supervisors on Low Visibility Occurrence Risk Index (LVORI).

On January 29, 2012, an FHP lieutenant responded to Paynes Prairie and took command of the incident. He coordinated the FHP's efforts with the Alachua County Sheriff's Office, Gainesville Police Department and the FDOT. The Shift Commander Smoke/Fog Incidents Checklist contains 16 items and 11 of these items were completed (see Appendix C).

Although the FHP can request a spot weather forecast from the National Weather Service (NWS) via their web site, the accuracy depends upon the proximity of the weather observation towers. The nearest observation tower to the Paynes Prairie area is at the Gainesville Regional Airport, which is approximately 10 miles away. More often than not, the weather information provided does not substitute for visual observation of current conditions on the ground. The most viable option was personal observation and monitoring which the FHP adequately supplied. Although LVORI may be used to assist in evaluating certain incidents, the FHP has found that LVORI forecasts have limited practical application and are of limited use in determining how to staff the events encountered (see Appendix D). The morning of the crashes the LVORI was listed as a six and thus would not have caused an increase in monitoring or staffing.

The FHP is reviewing its policies and procedures on roadway closures for hazards similar to those encountered January 29, 2012. Once appropriate enhancements are completed, the FHP will implement an expanded training program with input from the FFS, the NWS, the Division of Emergency Management and/or other appropriate subject matter experts as necessary. The FHP will deliver the training annually to all sworn and dispatch personnel utilizing the Agency's on-line training system to ensure documentation of completion and serve as a reference library

to all members. The training will be scheduled for delivery each October and the Agency's Emergency Operations Coordinator will ensure the training program is current before delivery each year.

### **FDLE Finding 3**

FHP does not have a policy or procedure that addresses how to reopen a roadway after it has been closed due to an emergency situation. Current FHP policy only addresses Major Road Closures in Policy 17.14 Shift Commander Protocol.

### **FDLE Recommendation 3**

FHP should develop a procedure that specifically addresses how to safely reopen a roadway after it has been closed due to an emergency situation. Some elements that FHP should consider when developing this procedure should include:

- The identification of a specific level of command whose responsibility is to make final decisions regarding road closure and reopening. For the purposes of this report, this person will be referred to as the FHP Incident Commander.
- The FHP Incident Commander should personally confer with governmental technical specialists who may provide input toward evaluation of conditions which could affect road reopening decisions. Those subject matter experts should include the Florida Forest Service, National Weather Service, Water Management District personnel or other agencies whose expertise is relevant to the emergency that caused the original closure of the roadway.
- Continue to utilize the LVORI system, but understand its limitations and identify the need to further analyze other environmental conditions.
- Implement the use of FDOT's Regional Transportation Management Centers and the information they can provide, such as camera views and FDOT traffic speed indicators.
- Deploy advanced traveler information systems and 511.
- Once a decision is made to reopen a roadway, ensure the continuation of visual inspections of the affected portion of the roadway to evaluate potential for reoccurrence of hazards.
- For a reasonable amount of time, stage dedicated resources that may be needed to close the road quickly and effectively, should hazards reoccur.
- If available, and during daylight hours, consider using aerial support to inspect potential emergency conditions surrounding the roadway.

### **FHP Response**

The FHP currently utilizes the Troop Watch Supervisor (formerly referred to as the Shift Commander) to monitor critical incidents and major roadway closures during all shifts. A consistent, clear understanding of what constitutes a major roadway closure shall be part of the

planning and subsequent training which encompasses the Incident Command System. The FHP utilizes the Incident Command System for all critical incident road closures, including low visibility instances. Together with the Florida Forest Service, the FHP will implement training for low visibility smoke related incidents. The Troop Watch Supervisor will ensure an attempt is made to contact subject matter experts.

While the FHP often receives updates regarding National Weather Service alerts, the only warning was issued on the morning of the crashes and covered the Northern Peninsula.

The State Emergency Operations Center (SEOC) utilizes a link to the FHP website on their website home-page. This link satisfies our protocol that recommends notification of road closures to SEOC. The FHP will continue to notify State Warning Point of any significant road closures. (<http://www.floridadisaster.org/EMTOOLS/wildfire/wildfire.htm>)

The unstable weather in the Paynes Prairie area the night of January 28, 2012, and early morning of January 29, 2012, created unpredictable conditions. Although full transcripts of interviews of NWS Meteorologist-in-Charge Steve Letro were not available as of the release date of this report, there appear to be inconsistencies in statements he has made regarding the value of the forecast. Mr. Letro was quoted in the FDLE report saying:

*“[c]ommunication between an NWS meteorologist and the first responder on scene would enhance the ability of the NWS to provide a scene specific forecast, which could be utilized as one of the factors to consider when determining road closure and reopening.”*

However, in an article published February 4, 2012, in the Gainesville Sun, Mr. Letro was quoted as saying:

*“What happened with the crash was such a very, very small localized place. You can have one person standing on the road and another person a mile down the road, and in situations like they had that night, you could easily have fine visibility where they were but there was a half-mile stretch in the middle where it's down on the deck,” Letro said. “We really don't have much of anything, forecast-wise, that deals with something like that. Honestly, I don't know what we could have done. We've been going over this in our heads for three or four days.”<sup>1</sup>*

FHP Troop B personnel continued monitoring wildfire incidents and LVORI ratings affecting their area following the January 29, 2012, crashes. As shown in Appendix D, although the LVORI reached as high as 10 (the maximum), only two road closures occurred. The LVORI during these road closures was 8 on the night of January 29, 2012, and 4 on January 30, 2012. The FHP has found that LVORI forecasts have limited practical application and are of limited use in determining how to staff the events encountered.

The FDOT Traffic Incident Management Offices are co-located within six of seven of the FHP's State Law Enforcement Regional Communications Centers. While no FDOT cameras are positioned on this particular stretch of I-75, FHP dispatchers regularly monitor the roadways where traffic cameras are installed. FHP personnel also monitor the FDOT traffic counters

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<sup>1</sup> Swirko, C. (2012, February 4). Gainesville Sun Newspaper. Retrieved May 2, 2012, from Gainesville Sun Newspaper.

during critical incidents, when they are activated for real time data, such as evacuations. Traffic counts for January 29, 2012, show that 288 vehicles passed safely through the Paynes Prairie area of I-75 following its reopening at 3:26 AM. Witness statements and video also demonstrate that although the smoke impaired the drivers' vision, the area was passable when drivers utilized caution.

The FDOT uses SunGuide advanced traffic management systems software to provide information to the traveling public via dynamic message signs, highway advisory radios and their 511 web site. FDOT deploys this advanced traveler information system, based in part, on information provided by FHP.

The FHP is currently enhancing policies and procedures to include language requiring the monitoring of a roadway closed due to low visibility occurrences both during and after the opening of the roadway. Special emphasis will be placed on situations involving low light/visibility conditions, wind speeds and times of the day when these conditions, among others, may vary and quickly change. The FHP is working with the FDOT and the FFS in addition to stakeholders such as the Division of Emergency Management, to stage resources and share relevant information regarding visibility on Florida's roadways. If there are indicators that a low visibility event will reoccur, the FHP will request that the FDOT continue to stage their resources. The FHP will implement the use of aircraft to monitor hazardous area conditions when it is safe to do so.

#### **FDLE Finding 4**

FHP Command Personnel failed to consult with any technical specialists, such as the Florida Forest Service or the National Weather Service, regarding the existence of thick fog/smoke on US 441 and Interstate 75 throughout the night.

#### **FDLE Recommendation 4**

Prior to reopening a roadway that was closed due to an emergency situation, FHP Command Personnel should consult with appropriate governmental technical specialists who may provide valuable input toward evaluation of conditions which could affect road reopening decisions.

#### **FHP Response**

The agency agrees that more information is better in making such decisions and so concurs with the concept contained in the recommendation. The FHP consults with subject matter experts, including the FFS for incidents involving roadway closures due to low visibility situations. The enhanced Troop Watch Supervisor policy includes soliciting input and talking through various weather-related scenarios with other available agencies and/or subject matter experts prior to reopening a roadway. Although the FHP can request a spot weather forecast from the NWS via their web site, the accuracy depends upon the proximity of the weather observation towers. Ultimately, as happened on January 29, 2012, the Incident Commander must evaluate the current conditions and make the decision based on available information regarding opening and closing the roadway.

## **FDLE Finding 5**

After reopening Interstate 75, FHP failed to effectively monitor conditions of the interstate in the area of Paynes Prairie. Troop personnel and local law enforcement officers did not assume specific assignments or posts, particularly when there was indication that conditions could worsen as the morning progressed.

## **FDLE Recommendation 5**

After reopening a roadway that was closed due to an emergency situation, FHP Command Personnel should ensure the continued visual inspection of the affected portion of the roadway to evaluate potential for reoccurrence of hazards. Additionally, dedicated resources should be staged in case the need to close the road reoccurs.

## **FHP Response**

Prior to reopening I-75 after the initial closure, the roadway was monitored for approximately two and one-half hours. Personnel observed conditions that would not normally warrant a road closure; however, the road remained closed as a precaution. After monitoring the roadway, the FHP reopened the road under clear conditions. The conditions remained clear for approximately 30 minutes while response personnel continued to visually inspect the roadway for reoccurrence of visible hazards. Even after the road was reopened, FDOT assets were staged on-scene and available for immediate implementation should the situation worsen, warranting the closing of the road.

The portion of roadway affected by smoke in this incident was approximately  $\frac{1}{4}$  to  $\frac{1}{2}$  mile in length. I-75 traverses Paynes Prairie for about 2.6 miles in the southern part of Alachua County. Immediately after the reopening of the roadway, an ACSO sergeant drove north across Paynes Prairie and did not observe any obstruction to visibility. The FHP lieutenant drove through the area between 3:40 AM and 3:47 AM. An FDOT employee drove southbound on I-75 through the affected area at approximately 3:50 AM and reported no visibility issues. When the FDOT employee turned around and traveled back north on that same stretch of highway at 4:00 AM, he noted visibility had deteriorated significantly. The facts do not support the finding that the roadway was not monitored after its reopening.

A caller first reported a traffic crash in the area to the JRCC at approximately 4:03 AM. A trooper arrived on scene at 4:07 AM. The trooper was located at the northbound rest area north of Paynes Prairie, only two miles from the crash scene. His response time was delayed due to the fact that he had to travel further north to the next exit to turn around and head south before arriving at the crash. The FHP is unaware of any documentation to support the finding that “there was indication that conditions could worsen as the morning progressed.”

## **FDLE Finding 6**

The Paynes Prairie fire created road hazards on US 441 and Interstate 75 due to low visibility from smoke and contributed greatly to the subsequent traffic crashes. Because there were no fixed electronic message boards on the roadways in the Paynes Prairie area, there was a great

demand for roadway signage and portable electronic message boards to warn motorists of the hazardous conditions. Until the Florida Department of Transportation arrived with signs and message boards, law enforcement personnel were posted on the roadways. Law enforcement patrol resources do not generally have material available in their patrol cars to transition or close a multi-lane roadway. Due to lack of appropriate signage, it was not possible to update motorists of road hazards or conditions without the immediate presence of emergency personnel on scene.

## **FDLE Recommendation 6**

Due to the low-lying geography of Paynes Prairie, and the history of frequent environmental conditions that cause limitations in visibility in that area, a fixed messaging system should be implemented. These fixed signs and electronic message boards would forewarn travelers of hazardous conditions along the roadway.

## **FHP Response**

The FDOT is statutorily responsible for signage and message boards on state roads. The 2012 legislature authorized the FDOT to purchase variable message signs. In addition to variable message boards, the FHP also recommends the FDOT purchase variable speed signs for placement in the various corridors identified as high probability areas for low visibility; additional road lighting (the section of I-75 where these fatalities occurred is not lighted); and traffic cameras (for placement in identified areas to enhance monitoring capabilities at the RCCs).

## **FDOT Response**

The FDOT is using a \$4 million special appropriation to erect visibility evaluation equipment and signage to provide travelers with real time information on Florida's interstates. FDOT has contracted with the University of Central Florida and Florida State University to provide a visibility detection systems report and to research the predictability of reduced visibility locations.

Based on information provided by both research projects, FDOT will prioritize the list of locations that are considered high probability of having reduced visibility and will also determine if it is feasible to use weather detection devices to predict when there is a high probability of a reduced visibility condition about to occur. FDOT will then decide on what type(s) of equipment and detection system(s) will be selected to be installed at individual locations, as well as determine the list of locations that are considered high probability of having reduced visibility. Both of these decisions will be made by October 2012. Final project locations and types of equipment will be selected in November of this year. The individual projects will be entered into the FDOT's Work Program and implementation will be done by using an accelerated process.

Prior to the January crashes, FDOT already had a small project in progress for I-75 in the Gainesville area with the assistance of the City of Gainesville Traffic Engineering. The cameras on I-75 in the Gainesville area are currently being installed with some already working. All the cameras should be installed by the end of October 2012.

## **FDLE Finding 7**

The State of Florida Open Roads Policy is a signed agreement between FHP and FDOT to open Florida's roadways following a traffic crash in "an urgent manner for the safety of responders at incident scenes and for motorists traveling in Florida" and "to do whatever is reasonable to reduce the risk to responders, secondary crashes, and delays associated with incidents, crashes, roadway maintenance, construction, and enforcement activities." This policy does not address the opening of roads that have been closed due to low visibility conditions or due to crashes that have occurred because of hazards that may reoccur, such as environmental conditions.

## **FDLE Recommendation 7**

The State of Florida Open Roads Policy should be modified to address the opening of roadways in situations where environmental conditions or other hazards may reoccur. The updated policy should stress the evaluation of all conditions, including environmental, that may be pertinent to public safety. Changes in policy should be reflected on the Open Roads Florida website and should be incorporated into subsequent training materials.

## **FHP Response**

Although the FHP concurs that the recommendation is a worthy goal, the Florida Open Roads Policy is intended to promote the free movement of people, vehicles and commerce while mitigating responder exposure and reducing secondary crashes in conjunction with traffic incidents. Because the Memorandum of Understanding does not apply to closures for safety reasons such as flooding, fire, smoke, wind, fog, ice, etc., the FHP and the FDOT are revising the document to clarify that this agreement is for traffic incidents only. The FHP Emergency Operations Coordinator will take the lead in initiating an annual meeting to review the Memorandum of Understanding and make changes if necessary.

## **FDLE Finding 8**

The Highway Safety Smoke Management Interagency Agreement identifies representatives from the agencies as the Highway Safety Smoke Management Task Force. The agreement states that this Task Force will meet as necessary to review concerns and suggest changes that will improve overall efficiency. A meeting may be called by any of the agencies included in the agreement. The Task Force has not met since the initiation of the Agreement in June 2009.

## **FDLE Recommendation 8**

Each calendar year, or within 90-days of the appointment of a new agency head to FDOT, FFS or FHP, the members of the Highway Safety Smoke Management Task Force should meet, review and, if needed, update the agreement. A copy of the final agreement should be provided each calendar year to the supervisory members of FDOT, FFS and FHP. A copy of the most current agreement should also be maintained on each agency's public website.

## **FHP Response**

The FHP is working with the FDOT and the FFS to strengthen lines of communication and review the Highway Safety Smoke Management Interagency Agreement (Agreement) on an annual basis. Representatives from the FHP, the FDOT and the FFS met on April 27 and May 18, 2012, to discuss the Agreement and changes needed to solidify the intent and application of the document. The representatives also discussed opportunities for the FFS to conduct training for FHP members. All three parties to the Agreement are submitting proposed revisions which will include a documented annual meeting between parties. The FHP Emergency Operations Coordinator will take the lead in initiating this annual meeting to review the Agreement and make changes if necessary. The FHP will educate its members on the Agreement and post the final document on its website for continued reference as needed.

## **FDLE Conflict in Testimony**

During an examination of records provided by FHP and statements made during interviews, it was discovered that FHP Sergeant Bruce Simmons expressed a concern to FHP Lieutenant John Gourley regarding the pending decision to reopen Interstate 75. FDLE identified several discrepancies between the statements made by Simmons and FHP's subsequent acknowledgement of Simmons' disagreement with Gourley's decision to reopen the interstate.

## **FHP Response**

Based on the discrepancies in records and statements made by FHP Sergeant Bruce Simmons and Lieutenant John Gourley regarding the decision to reopen I-75, the Department's Office of Inspector General was directed to review sworn statements obtained by the FDLE during their review. Based on this review, the Office of Inspector General could not identify independent witnesses who could provide further information that could clarify the conflicting testimony between the sergeant and captain.

## ***DRIVER BEHAVIOR***

The FDLE report only addresses the policies, procedures and training surrounding the tragic events of January 29, 2012. Driver behavior, which was not addressed, contributed to the crashes. Nationally, driver behaviors are the leading cause of traffic crashes, while environment conditions, such as smoke and fog, contribute to only a small percentage of traffic crashes. Several crash causal behaviors including impaired driving and drowsy driving are most prevalent during the nighttime hours, when driver attention tends to be lowest.

The investigations of the crashes that occurred during the 4:00 AM hour on January 29, 2012, revealed that when the smoke rapidly reduced visibility, some drivers slowed or even stopped in the roadway in response. While some drivers slowed, others continued to travel forward and failed to observe the vehicles traveling at slower speeds or stopped altogether. One alert driver noticed a tractor trailer approaching her from behind and took evasive action to avoid being struck by the tractor trailer. This driver collided instead with the guardrail, mitigating the potential damage and injuries a collision with a much larger truck may have caused.

Drug/alcohol use was confirmed on the part of several of the drivers. Witnesses and officers stated that although visibility was drastically reduced, the area was passable when drivers reduced speed and carefully navigated the area. The FDOT had placed signs on the roadway indicating the presence of smoke ahead.

The Florida Legislature recognized the dangers associated with various environmental conditions in section 316.185, Florida Statutes. The section states in pertinent part that, “[t]he fact that the speed of a vehicle is lower than the prescribed limits **shall not relieve the driver from the duty to decrease speed when special hazards exist or may exist with respect to pedestrians or other traffic or by reason of weather or other roadway conditions, and speed shall be decreased as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the street in compliance with legal requirements and the duty of all persons to use due care.**” (Emphasis added.)

To further address driver behavior, the FHP will seek to implement a public awareness campaign addressing driving in smoke/fog conditions.

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## CONCLUSION

The FHP's mission is to promote a safe and secure Florida through professional law enforcement and traffic safety awareness. Any loss of life or injuries on Florida roads is a concern to the FHP, and the FHP intends to do what it can to reduce traffic crashes in Florida. The FHP's review of the events leading up to the fatal crashes on the morning of January 29, 2012, concluded that its members acted reasonably. Prior to the crashes, the roadways were closed and conditions monitored. The on-scene Incident Commander based his decision to reopen the roadway on personal observations made during an approximately 30-minute period. Response personnel drove through the area at approximately 10-minute intervals and noted no significant smoke or fog until the time the crashes occurred.

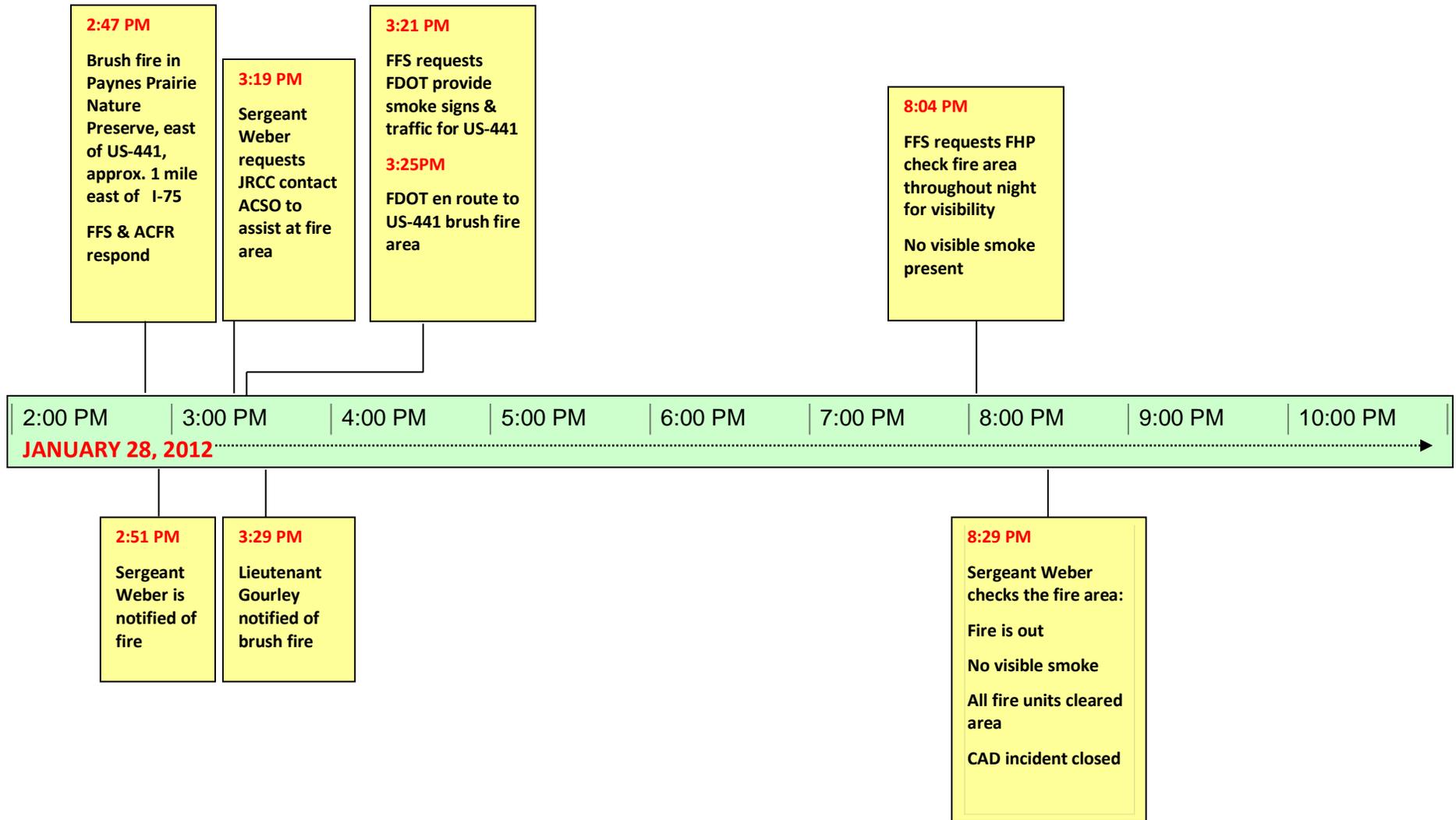
The decision to reopen I-75 the morning of January 29, 2012, was a judgment call made by the on-scene Incident Commander based on the information he had on hand at the time. To second-guess the Incident Commander's decision based on facts unavailable to the commander is inappropriate. As with decisions law enforcement officers make on a daily basis, the "reasonableness" of the decision made to reopen the interstate must be judged from the perspective of a reasonable officer on the scene. The rapidly changing conditions that morning in such a localized area could not be predicted with any reasonable degree of reliability. Even if each of the recommendations made by the FDLE in its incident review were to have been present or occurred that night, it is probable the same decision would have been reached.

The FHP relies upon and trusts its members to use sound judgment to make reasonable decisions. It is the responsibility of the FHP to provide its members with the training and guidance necessary to make those decisions, and the FHP is committed to taking the lessons learned from this incident to enhance our members' skills.

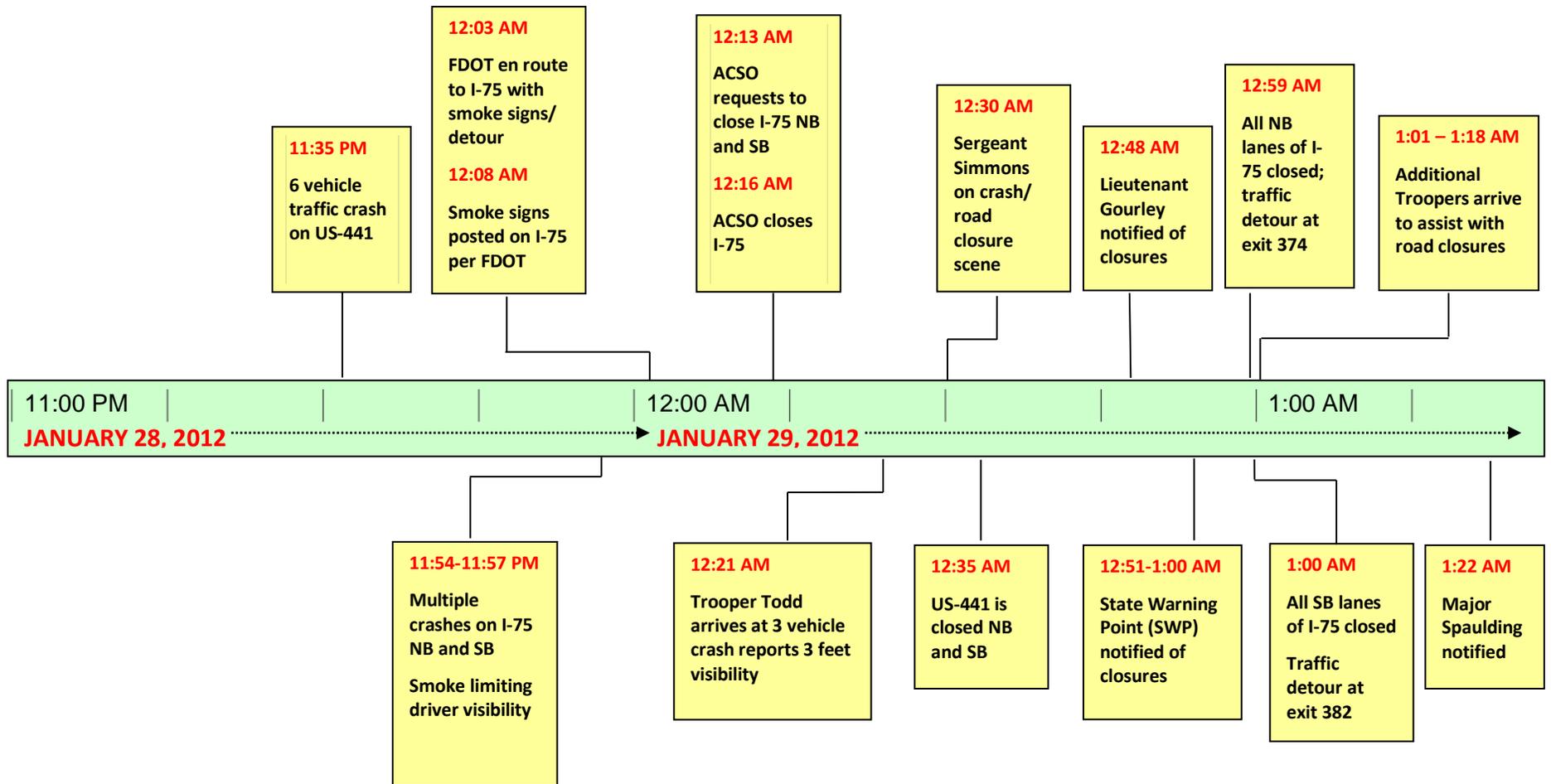
Following the I-75 incident, the FHP reviewed its practices and policies governing low visibility events. The FHP is working in concert with the FFS and the FDOT to enhance communications between the agencies and clearly define roles and responsibilities during such events. The FHP is updating policies for both sworn personnel and dispatchers and is in the process of planning a public awareness campaign addressing driving in smoke/fog conditions.

***Critical Incident Timeline  
January 28 through January 30, 2012***

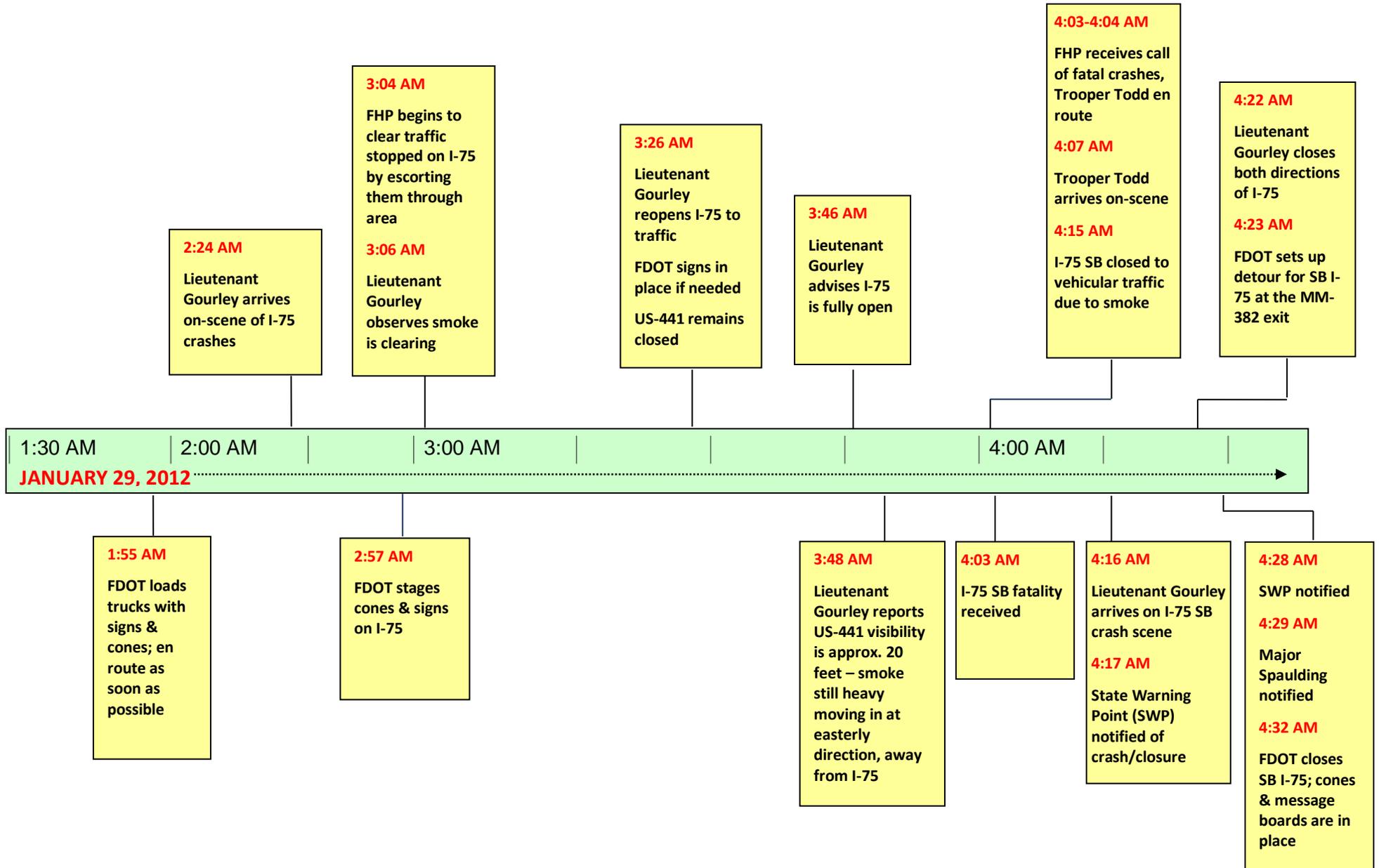
## Critical Incident Timeline – January 28 through January 30, 2012



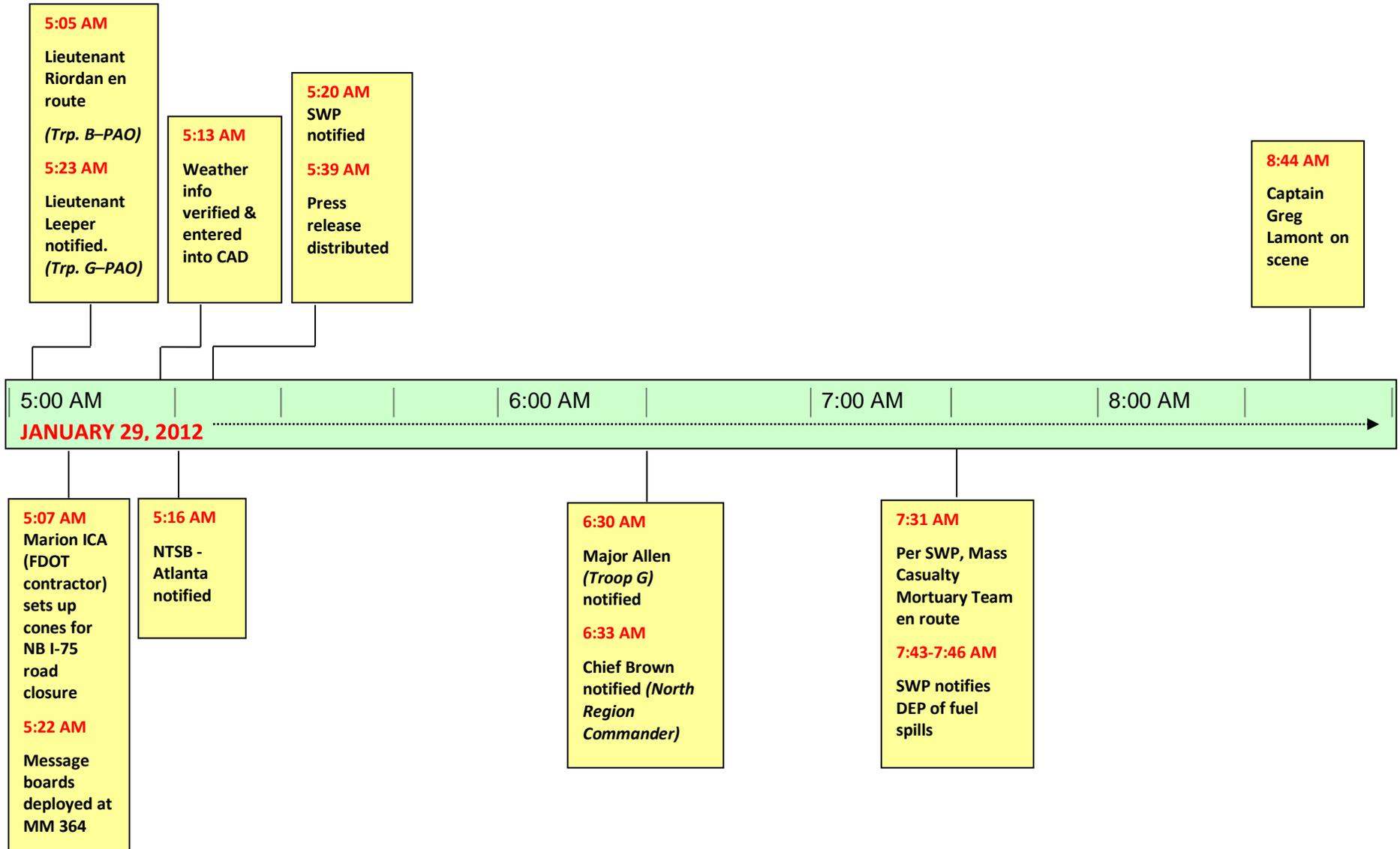
## Critical Incident Timeline – January 28 through January 30, 2012



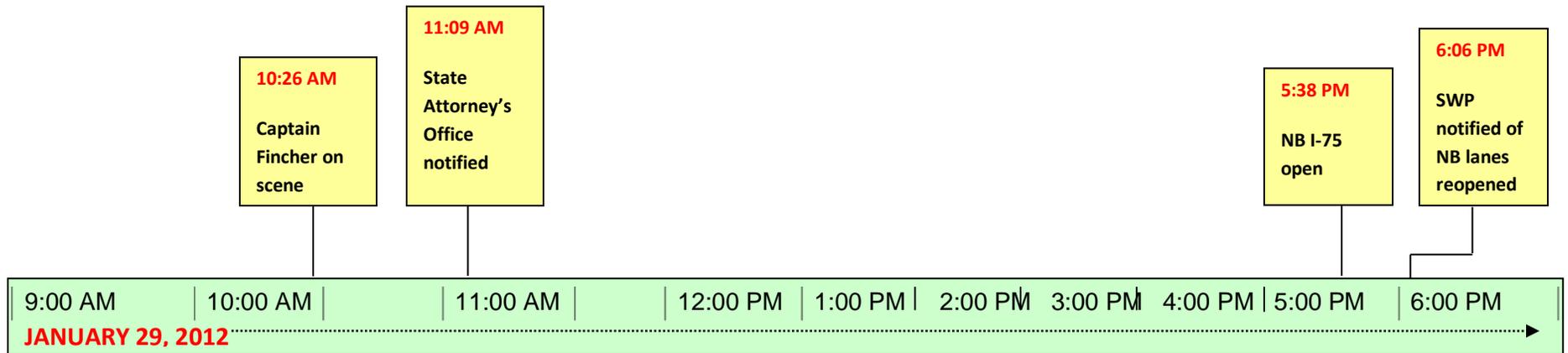
## Critical Incident Timeline – January 28 through January 30, 2012



## Critical Incident Timeline – January 28 through January 30, 2012



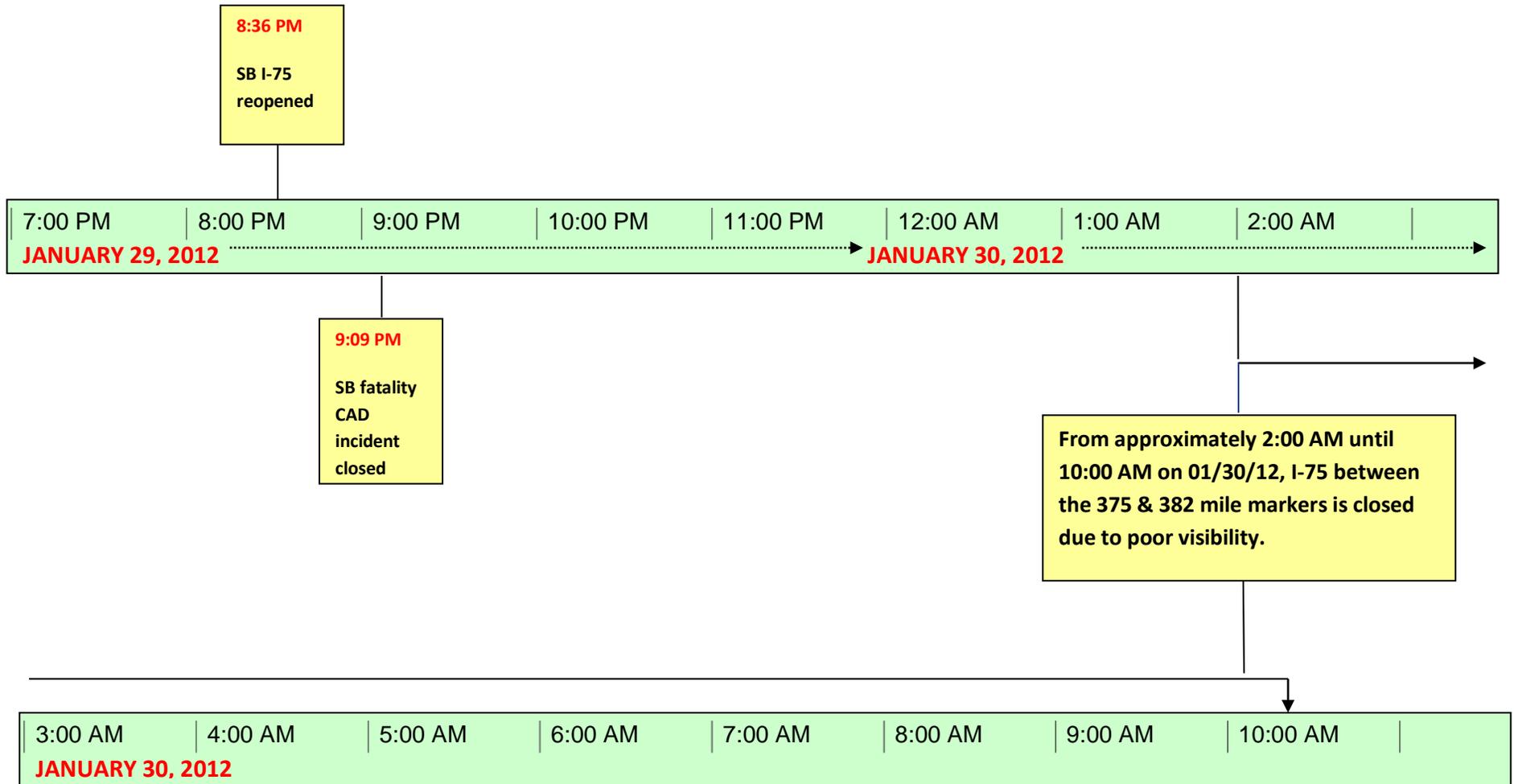
## Critical Incident Timeline – January 28 through January 30, 2012



Between 1/29 and 1/31/12, US-441 is closed between CR-234 and Rocky Point Road due to poor visibility.

(There were no reported incidents during this period due to visibility issues.)

## Critical Incident Timeline – January 28 through January 30, 2012



## ***Critical Incident Timeline – January 28 through January 30, 2012***

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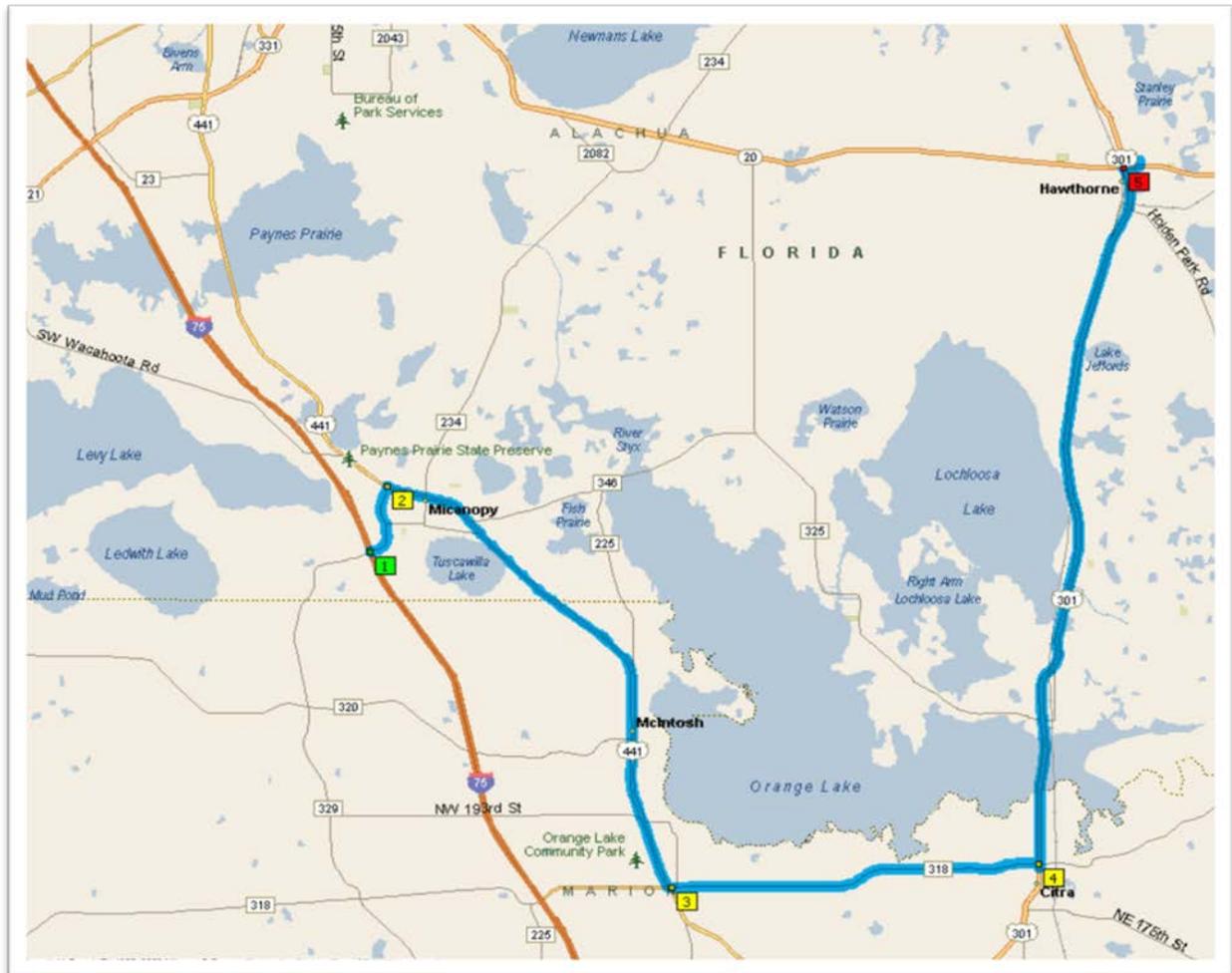
### Abbreviations Used in Appendix A

- ACFR Alachua County Fire Rescue
- ACSO Alachua County Sheriff's Office
- CAD Computer Aided Dispatch
- FDOT Florida Department of Transportation
- FFS Florida Forest Service
- JRCC Jacksonville Regional Communication Center
- MM Mile Marker
- NB Northbound
- NWS National Weather Service
- NTSB National Transportation Safety Board
- PAO Public Affairs Officer
- SB Southbound
- SWP State Warning Point

## ***Northbound and Southbound Detour Routes***

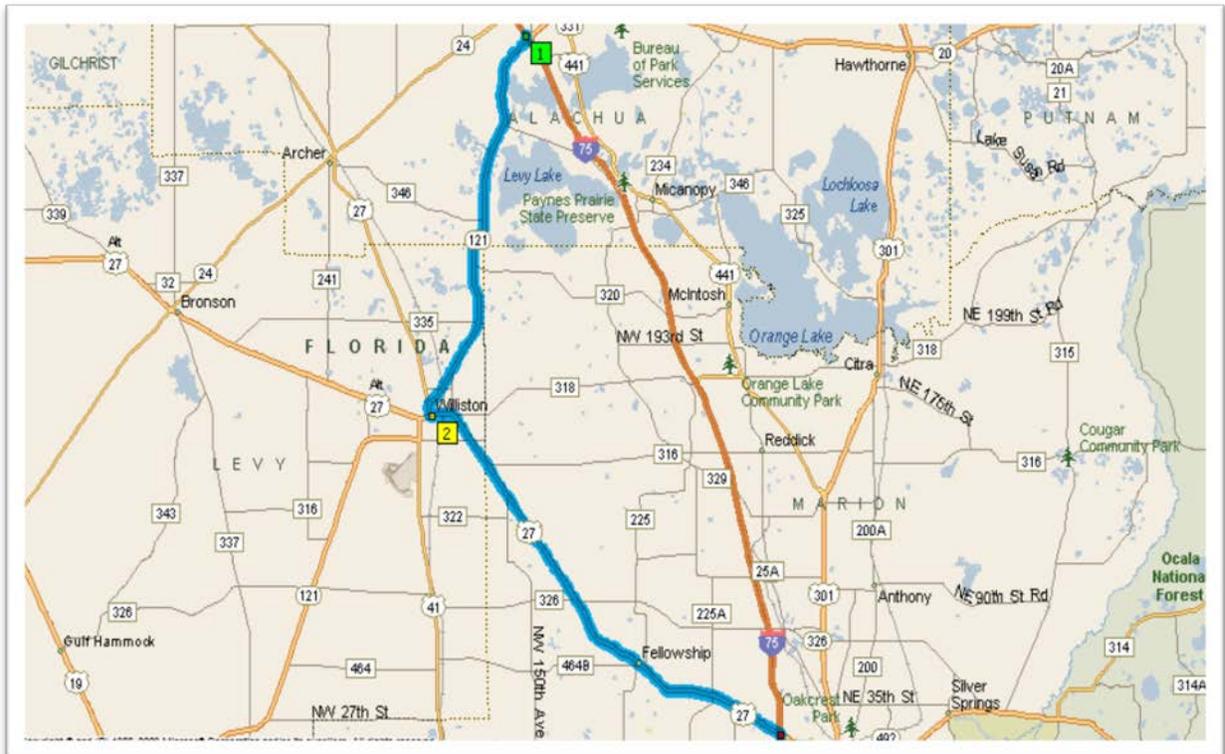
Upon closing I-75 and US-441 at 12:10 AM detour routes were established for both northbound and southbound traffic.

Northbound traffic was routed off of I-75 to go east on CR-234, then southbound on US-441 through Micanopy, then eastbound on CR-318 to northbound US-301.



## ***Northbound and Southbound Detour Routes***

Southbound traffic was routed off of I-75 to go south on SR-121 to the city of Williston then south on US-27 to Ocala.



## Smoke/Fog Incidents Checklist

<b>Policy 17.14 Smoke/Fog Incident Checklist Items</b>	<b>FHP Actions on January 28 and 29, 2012</b>
Ensure Dispatch of Trooper to the Location	There were 8 members assigned to the Paynes Prairie area on I-75 or US 441 including a sergeant and a lieutenant.
Notify Other FHP Units as Appropriate	Members in adjoining counties were notified and dispatched to assist in the road closure.
Notify Division of Forestry (now Florida Fire Service)	This task was not completed. Personnel from the Fire Service had been on-scene the afternoon/evening of the 28 <sup>th</sup> fighting the fire.
Notify On-Duty District Lieutenant(s) and District Sergeant(s)	The on-duty sergeant was notified and monitored the road closure. An off-duty district lieutenant was notified and responded to the road closure.
Obtain a Spot Weather Forecast for the Affected Area from the National Weather Service	This task was not completed.
Identify Current or Overnight LVORI Levels to Determine Risk of High LVORI =7	This task was not completed. However, subsequent inquiry indicated that the LVORI for that night was 6.
Ensure Detour Routes Established	Detours were established when the roadways were closed at approximately 11:55 pm on the 28 <sup>th</sup> .
Confirm Staffing on Post One Hour Before Highest RH/LVORI Levels Reach >=7	LVORI never reached a level of 7. However, FHP and Alachua County Sheriff's Office members were on post beginning at approximately 11:55 pm on the 28 <sup>th</sup> .
Confirm Staffing Plan is in Place to Monitor Location and Close Roadway if Needed	Roadways were closed at 11:55 pm, on the 28 <sup>th</sup> and staffing remained in place until I-75 was reopened at 3:26 am, on the 29 <sup>th</sup> .
Notify Local Law Enforcement Agencies	Alachua County Sheriff's Office and the Gainesville Police Department were notified and assisting FHP with the smoke/fog incident.
Notify FDOT of Possible Road Closures and Signage Request (If Appropriate)	FDOT responded at 5:37 pm on the 28 <sup>th</sup> and placed FOG/SMOKE warning signs on both US 441 and I-75. Additional signage was requested later in the evening for the detour.
Notify PAO and/or Media	PAO and Media notifications made after the fatal crashes.
Enter Road Closure Information into EOC On-Line	This is automated through the FHP CAD system.
Notify State Warning Point	This is automated through the FHP CAD system.
Ensure Completion and Distribution of the 24-Hour Report and Press Release	Notification and Reporting System contained items for the road closure just after midnight on the 29 <sup>th</sup> and an entry indicating that the roadways may be opened soon made at 3:26 AM. Press releases were created after the fatal crashes.
Ensure All Information Concerning Incident is Entered into CAD	Numerous CAD reports created and updated.

## **Troop B Fire/Smoke Events – Briefing Report**

Since January 28, 2012, FHP, Troop B personnel have staffed numerous potential fire/smoke events in several counties within the troop. With the exception of the two nights immediately following the Paynes Prairie incident, no significant visibility issues have developed requiring any road closures. LVORI on the majority of the days when additional staffing was provided was 8 or above, with no visibility issues and no road closures.

### **STAFFED FIRES**

**(Additional staffing for potential smoke issues on the below dates)**

#### **January 28 through February 8, 2012/Paynes Prairie Fire/Alachua County**

<b>DATE</b>	<b>LVORI READING</b>	<b>ROADWAY OCCURANCE</b>
1/28-29/12	LVORI 6	Crashes occurred on US-441 and I-75
1/29-30/12	LVORI 8	I-75 and US-441 closed
1/30-31/12	LVORI 4	US-441 closed
1/31-2/1/12	LVORI 5	No roads closed
2/1-2/12	LVORI 8	No roads closed
2/2-3/12	LVORI 6	No roads closed
2/3-4/12	LVORI 6	No roads closed
2/4-5/12	LVORI 6	No roads closed
2/5-6/12	LVORI 9	No roads closed
2/6-7/12	LVORI unknown	No roads closed
2/7-8/12	LVORI 10	No roads closed

#### **February 15 through February 18, 2012/Brush Fire/Levy County/SR-121**

<b>DATE</b>	<b>LVORI READING</b>	<b>ROADWAY OCCURANCE</b>
2/15-16/12	LVORI 10	No roads closed
2/16-17/12	LVORI 9	No roads closed
2/17-18/12	LVORI 9	No roads closed

#### **March 27 through March 29, 2012/Brush Fire/Alachua County/US-301**

<b>DATE</b>	<b>LVORI READING</b>	<b>ROADWAY OCCURANCE</b>
3/27-28/12	LVORI 9	No roads closed
3/28-29/12	LVORI 10	No roads closed (crystal clear)

## **Troop B Fire/Smoke Events – Briefing Report**

### **April 8 through April 13, 2012/County Line Fire/Alachua County**

(Note: Although generating from Columbia County, the smoke did, at times, impact Alachua County)

<b>DATE</b>	<b>LVORI READING</b>	<b>ROADWAY OCCURANCE</b>
4/8-13/12	LVORI 8-10 each night	No roads closed

### **April 8 through 13, 2012/Columbia County Line Fire/Columbia County**

<b>DATE</b>	<b>LVORI READING</b>	<b>ROADWAY OCCURANCE</b>
4/8/12	LVORI 9	No roads closed
4/9/12	LVORI 10	No roads closed
4/10/12	LVORI 6	No roads closed

### **April 30 through May 3, 2012/Columbia County Line Fire/Columbia County**

<b>DATE</b>	<b>LVORI READING</b>	<b>ROADWAY OCCURANCE</b>
4/30/12	LVORI 10 (prediction from Forestry was perfect conditions for "Super Smoke" event)	No roads closed – moderate/routine fog encountered
5/1/12	LVORI 10	No roads closed – crystal clear
5/2/12	LVORI 10	No roads closed – light fog, no visibility issues encountered
5/3/12	LVORI 10	No roads closed – light fog, no visibility issues encountered