

**FWC Division of Law Enforcement
Interim Policy Memorandum
IPM 19-01**

DATE: January 25, 2019

TO: All sworn Division members

FROM: Colonel Curtis Brown
Director, Division of Law Enforcement

SUBJECT: Extra-Duty Commercial Vehicle Escort Services

This Interim Policy Memorandum replaces IPM 12-08 – *Policies and Procedures for Vehicle Escort Services* and establishes policies and procedures for Division members conducting authorized extra-duty escort services for commercial vehicles. This IPM shall remain in effect until these policies and procedures are rescinded, incorporated in an existing General Order, or promulgated in a new General Order.

1 Policy

A It is the policy of the Division to promulgate administrative procedures for approval/denial of any proposals for extra-duty employment by Division members pertaining to the escorting of over-dimensional commercial vehicles or toxic/hazardous carriers.

B Definitions

- (1) **COMMERCIAL VEHICLE** – Any self-propelled or towed vehicle used on public highways to transport passengers or cargo, if such vehicle:
- (a) Has a gross vehicle weight rating of 10,000 pounds or more.
 - (b) Is designed to transport more than 15 passengers, including the driver; or
 - (c) Is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act, as amended (49 USC ss.1801 et seq.).
- (2) **OVER-DIMENSIONAL VEHICLE** – 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.

2 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 member of the Division.

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B Members who:

- (1) Engage in extra-duty employment involving the escorting of over-dimensional/hazardous/toxic substance carriers shall assume responsibility for notifying such firms of requirements necessary to achieve compliance with the provisions of this written directive.
- (2) Propose to provide such escorts, must obtain written authorization from their Regional Commander or Section Leader in accordance with this written directive before such services may be provided.

C Responsibilities of Regional Commanders and Section Leaders or their designees shall be limited to reviewing and approving/denying requests for escorts which are initiated pursuant to the provisions of this written directive and for retaining copies of documents submitted for their approval for at least four anniversary years in accordance with the State of Florida *General Records Schedule GS2 for Law Enforcement, Correctional Facilities, and District Medical Examiners*.

3 Procedures

A Planning and Approval

- (1) Members shall be permitted to engage in extra-duty 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 Regional Commander or Section Leader or the appropriate designee.
 - (a) Individual Regional Commanders are at liberty to approve/deny extra-duty escorts and accompanying safety plans (if applicable) without prior consultation with other command staff. However, if the route of the approved escort request extends beyond the geographical limits of any region, copies of the safety plan shall also be supplied to the Regional Commanders along the path taken by the escorted vehicle.
 - (a) The Regional Commander may delegate the review and approval process for escorting commercial vehicles to a Captain or grant blanket approval for such extra-duty employment opportunities if the remaining requirements of this written directive are met.
- (2) Members may only engage in extra-duty employment involving the escorting of commercial vehicles using the agency vehicle if the location at which the member commences the escort is within a 50 mile radius from the member's normal assigned patrol area.
 - (a) Reimbursement for mileage will be in accordance with General Order 06 – *Off-Duty, Extra-Duty, and Hire-Back Employment*.
- (3) 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:
 - (b) The Request for Approval of Dual Law Enforcement Employment Form (FWC/DLE-150) for each participating member, bearing appropriate notation and conspicuously marked "Commercial Vehicle Escort" in the uppermost margin of the form.

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- (c) Copies of any permits issued by the Florida Department of Transportation or by any component of county or municipal government.
- (d) A completed Release of Liability for Vehicle Escort Services (FWC/DLE-354AR), bearing the signature of an officer of the firm or corporation or the person who contracts for the services of escorting officers.
- (e) Proof of current liability insurance as required per General Order 06, *Off-Duty, Extra-Duty, and Hire-Back Employment*.
- (f) For toxic or hazardous cargo only, a Safety Plan for Vehicle Escort Services (FWC/DLE-355) 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:
 - 3. Length.
 - 4. Width.
 - 5. Height.
 - 6. Minimum vertical body or load clearance.
 - 7. Gross Weight.
- (b) For toxic or hazardous cargo only, the following additional documentation shall be submitted for review:
 - 1. A map depicting/listing or outlining the route to be taken.
 - 2. A timetable outlining the approximate time when the escorted vehicle is expected to pass through each city (over 10,000 populations) along the route.
 - 3. Appropriate documentation proving that appropriate county and municipal authorities along the route have been contacted and advised of the time and date the escorted vehicle will pass through their respective jurisdictions.
 - 4. A list of telephone numbers for emergency service agencies including fire, police and ambulance along the route (unless "911" service is available), and telephone listings for the Florida Division of Emergency Management, the Chemical Transportation Emergency Center (CHEMTREC) and the National Response Center (NRC) must also be obtained.
 - 5. A listing of any safety apparatus installed on the load-bearing vehicle.
- (4) 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 Request for Approval of Dual Law Enforcement Employment Form (FWC/DLE-150), provided it is marked with a "multiple escorts" note and a proposed timetable reflecting respective times and dates when escorts are to take place is attached. If two or more members are to share escort duties, Request for Approval of Dual Law Enforcement Employment Forms (FWC/DLE-150) for each participating member must be submitted.

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B Other Provisions

- (1) Members may only provide vehicle escort services within the boundaries of the State of Florida.
- (2) At no time are escorts permitted to exceed the posted speed limit.
- (3) If applicable, copies of the safety plan shall be maintained in each Division vehicle assigned to the escort.
 - (a) At least two marked Division vehicles shall be assigned to each escort. Escorting vehicles shall generally keep station no 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 Division vehicle provided a second vehicle bearing appropriate warning devices is operated in trail behind the load bearing vehicle.
- (4) Breakdowns or other unforeseen occurrences may disrupt escorts. When such circumstances prevail, the firm which requested the escort services will develop an adjusted timetable. Members shall advise the Regional Commander of these modifications to the original safety plan and obtain approval for any changes for any escorts of vehicles carrying toxic or hazardous substances. 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.
- (5) No part of this written directive shall be construed as restricting the ability of command staff or law enforcement officers in the field to address threats to public safety or to respond to emerging public safety emergencies.

4 Forms

FWC/DLE-150	Request for Approval of Dual Law Enforcement Employment
FWC/DLE-354	Release of Liability for Vehicle Escort Services
FWC/DLE-355	Safety Plan Template for Vehicle Escort Services