



## WADING RIVER FIRE DISTRICT BOARD OF FIRE COMMISSIONERS

### *4.5 Drivers License Policy*

#### **OBJECTIVE:**

The Wading River Fire District Board of Fire Commissioners believes that possession of a valid New York State Drivers License should be a minimum qualification for membership in the Fire Department. Questions have arisen on this issue, and this procedural statement is meant to answer those questions so that applicants and members have a clear understanding of the requirements. The following rules shall apply to applicants for membership and members of the Department.

#### **APPLICABILITY:**

All applicants must demonstrate proof that they have a valid New York State Driver's License at the time their application is submitted. All active members of the Fire Department will be required to maintain a valid New York State Driver's License during their period of membership

#### **POLICY:**

1. All applicants must demonstrate proof that they have a valid New York State Driver's License at the time their application is submitted. An applicant with no license, with a suspended or revoked license or with an out of State drivers' license will have his or her application returned and not accepted by the Screening Committee.
2. A learner's permit, junior driver's license, conditional license, or restricted license is not a valid New York State Driver's License for the purposes of this procedure. The applicant or member must have and maintain full driver's license privileges.
3. Any applicant with a suspended or revoked driver's license may re-submit their application when they eliminate their suspensions and/or revocations and re-establish full driving privileges. However, their application will be effective on the date of re-submittal and they will receive no priority on the waiting list or in application processing based on a prior application returned as a result of Rule No. 1 above.

4. Any applicant submitting an application will be required to state that he or she has a valid New York State Driver's License on their application form. Any applicant that falsifies his or her application in relation to this or any other matter will be subject to having his or her application denied, and will also be subject to dismissal from membership if the falsification is discovered after he or she has been accepted as a member. A member may be dismissed from membership at anytime for a falsification of his or her membership application. No Statute of Limitation shall apply to such act of misconduct and deceit.

5. All active members of the Fire Department will be required to maintain a valid New York State Driver's License during their period of membership.

6. In the event that an active member has his or her driver's license suspended or revoked or his or her driving privileges suspended or revoked by any jurisdiction, he or she shall notify the Chief of Department within one (1) week of receiving notice of the suspension or revocation. The Chief shall notify the Board at the next Board meeting.

7. Any member having his or her driver's license or driving privileges suspended or revoked for any reason by any jurisdiction shall cease and desist from driving any District, Department or Company apparatus or vehicles, and shall cease and desist from driving any other vehicles including vehicles owned by him or her in the performance of his or her duties as a volunteer firefighter. Such member may not drive to and from or park at any fire station in the District for any purpose.

8. Any active member failing to comply with these guidelines shall be guilty of misconduct and shall be subject to disciplinary action including removal from membership.

9. In any disciplinary action brought under this procedure, New York State Department of Motor Vehicle's records indicating that an applicant or member's driver's license or driving privileges were suspended and/or revoked shall be prima facie evidence that such suspension and/or revocation was imposed, and that the applicant or member had timely notice of same.

10. Any Chief, Assistant Chief, or member assigned a District vehicle having his or her driver's license or driving privileges suspended or revoked shall on a forthwith basis, notify the Board of Fire Commissioners of same, and deliver his or her District assigned vehicle and all keys to the District Manager for storage until such time as his or her suspensions and/or revocations are cleared from his or her driving record.

11. The Chief's office shall provide notice to the Board at its next meeting when he or she receives a report from a member of a suspension and/or revocation relative to his or her driver's license or driving privileges, and the Chief shall take all necessary steps to make certain that the member follows the driving rules stated herein.

12. The Board of Fire Commissioners shall provide the Chief's office on a periodic basis with reports on driver's license status on members, and the Chief shall institute disciplinary action against any member violating the notification requirements or driving requirements in this procedure.

13. Members and employees are placed on notice that their driving records will be periodically checked through the New York State Department of Motor Vehicles.

14. These rules will also apply to district employees and the District supervisory personnel will enforce it.

**RELATED POLICIES:**

- 1.2 Whistle Blower Policy
- 1.12 Disciplinary Procedure Policy
- 4.2 Chief's Vehicle Policy
- 4.3 Fire Apparatus Usage Policy
- 4.3.1 Vehicle Usage Policy

Adopted by the Wading River Fire District Board of Fire Commissioners on Monday, 09/26/11 .

Edward Frost, Chairman  
Timothy Deveny, Commissioner  
Michael Harrigan, Commissioner  
Thomas Lateulere, Commissioner  
James Meier, Commissioner