

# ***PA FIRE POLICE***

## ***Fire Police Training Program***

**By Tony Riccardi - PA State Fire Academy Approved Fire Police Instructor**

If a fire chief or a fire police captain told their members that a Basic Fire Police course was being offered, chances are the members would say “we’ve already had that course”. Yet, over ninety-percent of questions asked by fire police officers during any training program come directly from the basic course. We simply cannot remember everything. Add to that fact that even after completing a fire police program, fire police are given conflicting information by other fire police officers or members of the fire company that confuse them as to what is right and what is not. It sometimes becomes difficult to ignore what appears to be legitimate information especially when it comes from someone you know or who may have been performing fire police duties for sometime. Several years ago, we wrote a program designed to address this issue which we called “Fire Police Misconceptions”, things you have been told that are not really true but sounds like they are, so you buy into them.

This is a four hour seminar that is usually conducted in a one evening presentation. No matter how many times we have conducted this program, we usually run out of time before we run out of information. This will give you an idea how much misinformation you encounter constantly. Let’s take a look at some of the information that many fire police officers believe but are not really true and we’ll show you why they are not true:

### ***- Fire Police Officers Must Wear A Helmet While On Duty***

This information was interpreted incorrectly by many fire police officers. In order to provide accurate information we contacted PennDot directly who stated that the requirement applies to construction workers on the highway, not fire police officers. The wearing of a helmet is certainly a good idea, just not required by law.

### ***- Mail Trucks Have The Right Of Way Over Emergency Vehicles***

Nope, not true at all. In the State of Pennsylvania, a mail truck is considered a type 3 vehicle which means the only right it has is to stop, stand or park even if signs are posted forbidding this activity. This is the only privilege they have that other motorists do not have. (PennDot Title 67, Chapter 15)

### ***- School Buses Must Be Allowed To Travel Through Emergency Scenes Since Children Must Be Dropped Off Only At Designated Locations***

Wrong again. Every school district has a contingency plan which requires the bus drivers to take the students back to the school and parents will be contacted to pick up their children at the school. The bus driver may not be happy about it but that doesn’t give them the right to violate your orders and/or the school district policy concerning this type of situation.

### ***- A Fire Police Officer, Sworn Under Title 35, Has Fire Police Authority At All Times***

This also is a misconception. According to Title 35, Fire Police Law, fire police have authority only when necessary. Of course, fire police always gave their authority when responding with their fire company. “When Necessary” also occurs when fire police officers are called by police to assist in traffic and/or crowd control and their fire companies do not respond. Still another instance where “When Necessary” occurs is when fire police come upon a sudden emergency, that is, some type of incident occurs and no police or emergency personnel are present, the fire police officer now has the “necessary” authority to take charge of the incident until the arrival of a police officer.

*Continued on Page 80*

**FIRE POLICE** *from Page 78*

***-There Is No Problem With A Fire Police Officer Going On Duty Even If He Has Forgotten His Badge. A Hat And A Class II Vest Will Suffice***

Sorry, not true. The law is very clear that at a minimum, the fire police officer must wear a hat and a badge in order to have any authority.

***-Fire Police Officers Have Authority To Stop Anyone From Taking Photographs Of A Deceased Person And May Confiscate The Camera Or Film From The Individual If They Refuse To Stop Video Taping Or Photographing The Scene***

Not only is this not true but the fire police officer can be held liable for violating the First Amendment rights of the individual if you attempt to stop the activity or confiscate their equipment.

***- A Fire Police Captain And Any Number Of Lieutenants May Equip Their Vehicles With A Red Light***

This is an extreme violation of the law. Section 4571 of the vehicle code authorizes one captain and one lieutenant to equip their POV with a red light and an audible signal. Note, the law says captain and lieutenant, not captains and lieutenants. Singular, not plural. Incidentally, the fine for illegally equipping a POV with a red light is one thousand dollars plus costs.

***-A Five Cell Flashlight Is Illegal***

Why? What law says that? This is pure rubbish. We can find no law or anything else which agrees with this belief. The fact is New York State suggested to their fire police that they not use a five cell since it could be used as a weapon. When this information came across the state line into Pennsylvania it somehow got translated into the belief that this size light is illegal.

***- Fire Police Officers Must Be Sworn-In Every Year***

This is pure fiction, not fact. It is entirely up to the individual municipality when they want their fire police officers resworn, if at all.

***- The Municipality Has No Control Over Fire Police Officers. This Is The Responsibility Of The Fire Department***

Actually, it is the responsibility of both the fire department and the municipality. Fire police are members of the fire company and, therefore, are bound by the rules and regulations of the department. They have been given their authority by the municipality therefore; the municipality has a responsibility to see that the fire police are properly trained and perform their duties satisfactorily. Most community officials have no knowledge of their responsibility and assume they have nothing to do with fire police. They are very wrong.

These are but a few of the many false beliefs held by fire police officers who refuse to take training or have not kept their training current. When fire police do learn about some of these false notions, their comment is "they must have changed things". Yep, they sure have! What a shame that fire police keep functioning with incorrect or no knowledge at all. Over the years we have heard fire police make a threatening comment, "If I have to go to training, I quit." Will they quit? Probably not. In most cases it is a bluff to get the chief or captain to back down. However, if it is not a bluff, the fire chief should hold the door open and help them toward the exit. He/she would be getting rid of a potential liability for the fire company and him/herself. Sorry, but in this day and age of law suits and limited tort liability, training is very important for everyone. We have had fire police officers in our classes who report that they had to go to court for one reason or another and the first question asked of them by the attorney was, "how much training have you had?"

**FOR SALE**

**SEVERAL GOOD  
USED TRUCKS  
MACK & HAHN**

CALL

**CAIN & SONS  
FIRE EQUIPMENT, INC.**

**973-227-2277**

Pine Brook, NJ