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**DEVELOPMENT OF KENTUCKY'S HIGHWAY INCIDENT
MANAGEMENT STRATEGIC PLAN**





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Research Report
KTC-05-08/SPR288-05-01F

**DEVELOPMENT OF KENTUCKY'S HIGHWAY INCIDENT
MANAGEMENT STRATEGIC PLAN**

by

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in cooperation with

Kentucky Transportation Cabinet
Commonwealth of Kentucky

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16. Abstract Even though Kentucky has undertaken many initiatives to improve specific aspects of incident management, there has never been a plan that establishes an overall framework for a systematic, statewide, multi-agency effort to improve the management of highway incidents. The objective of this project was to develop a strategic plan that provides a vision and strategy for significantly improving all aspects of incident management. This report identifies the current and best practices for highway incident management in the United States and in Kentucky and establishes a vision for the future of highway incident management in Kentucky. The Plan developed through the efforts of this project consists of a mission statement, 4 goals, 16 objectives, and 49 action strategies. The action strategies are arranged by priority and recommended time frame for implementation. When implemented, the action strategies will help Kentucky achieve its primary goals for incident management: 1) improved safety of responders, highway workers, and motorists; 2) reduced traffic delay; 3) improved motorist awareness; and 4) improved responder and highway worker preparedness.			
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LIST OF ACRONYMS

Automatic Vehicle Location.....	AVL
Citizens' Band.....	CB
Closed Circuit Television.....	CCTV
Computer Aided Dispatch.....	CAD
Department of Transportation.....	DOT
Emergency Management Agency.....	EMA
Emergency Medical Services.....	EMS
Environmental Protection Agency.....	EPA
Federal Highway Administration.....	FHWA
Freeway Service Patrol.....	FSP
Global Positioning System.....	GPS
Hazardous Material.....	HAZMAT
Highway Advisory Radio.....	HAR
Highway Crash Site Management.....	HCSM
Incident Command System.....	ICS
Intelligent Transportation Systems.....	ITS
Kentucky Administrative Regulation.....	KAR
Kentucky Emergency Management.....	KYEM
Kentucky Revised Statute.....	KRS
Kentucky State Police.....	KSP
Kentucky Transportation Cabinet.....	KYTC
Kentucky Transportation Center.....	KTC
Kentucky Vehicle Enforcement.....	KVE
Manual on Uniform Traffic Control Devices.....	MUTCD
National Cooperative Highway Research Program.....	NCHRP
National Highway Institute.....	NHI
National Incident Management System.....	NIMS
Personal Digital Assistant.....	PDA
Public Information Officer.....	PIO
Roadway Weather Information System.....	RWIS
Towing and Recovery Association of America.....	TRAA
Traffic Incident Management.....	TIM
Traffic Incident Management Tow Operators Workplan.....	TIMTOW
Traffic Management Center.....	TMC
Traffic Response and Incident Management Assisting the River Cities.....	TRIMARC
Transportation Research Board.....	TRB
Variable Message Sign.....	VMS
Volunteer Fire Department.....	VFD

EXECUTIVE SUMMARY

Highway incidents may include crashes, disabled or abandoned vehicles, debris in the roadway, work zones, adverse weather, and other events and emergencies. Even though Kentucky has undertaken many initiatives to improve specific aspects of incident management, there has never been a plan that establishes an overall framework for a systematic, statewide, multi-agency effort to improve the management of highway incidents.

The objective of this project was to develop a strategic plan that provides a vision and strategy for significantly improving all aspects of incident management. This effort was accomplished through a process that included six basic tasks:

- 1) Literature Review and National Survey
- 2) Traffic Incident Management (TIM) Self-Assessment
- 3) Identification and Analysis of Kentucky Case Studies
- 4) Development of Incident Management Best Practices
- 5) Stakeholder Forum
- 6) Development of the Strategic Plan and Final Report

Over 100 references were reviewed as part of Task 1, but only 15 key publications were used extensively for the development of this report. These publications helped to identify agencies with incident management strategic plans, typical components of a strategic plan, and best practices in incident management. Instead of conducting a separate survey, the findings from the national survey in the National Cooperative Highway Research Program (NCHRP) Synthesis 318 “Safe and Quick Clearance of Traffic Incidents” were used to identify “best practices” for incident management around the country.

For Task 2, the “Traffic Incident Management (TIM) Self-Assessment” tool was used to assess Kentucky’s achievements and identify needs in the area of incident management. Although both regions have areas in which they can make improvements, the Lexington-Fayette County and the Northern Kentucky / Cincinnati regions scored above the national average for their incident management programs. Louisville scored below the national average which indicates a lack of many of the key components of a successful TIM program. Based upon the assessments received, the scoring in the rural regions shows there are limited multi-agency incident management activities being conducted.

For Task 3, five case studies were selected to demonstrate the costs and safety consequences of highway crashes. These five incidents resulted in five fatalities and three injuries. The roadways were closed for a combined total of 107 hours, and the total estimate of delay costs for all five incidents was \$3.25 million. These five case studies helped to identify effective policies and procedures and opportunities for improvement.

The best practices for highway incident management were developed under Task 4. Twenty-nine incident management strategies were identified based upon their use by other

agencies or having been identified as a best practice by one or more agencies. Some of the best practices include the development and/or use of: alternate route plans, freeway service patrols, incident response guides, post incident debriefings, quick clearance and vehicle removal laws, and towing reform.

For Task 5, a stakeholder forum was conducted to identify issues, challenges, and opportunities related to highway incident management in Kentucky. There were 103 participants and more than 270 problems or issues were identified at the meeting. Many of those issues could be summarized into the 16 areas listed below:

- 1) Lack of understanding and use of the Incident Command System (ICS)
- 2) Difficulty getting timely, accurate traffic information to the public
- 3) Difficulty in quickly detecting an incident and accurately verifying the details
- 4) Lack of effective communication and coordination among responding agencies
- 5) Varying priorities regarding quick clearance
- 6) Lack of understanding regarding available resources and who can or should provide them
- 7) Lengthy response times by some agencies
- 8) Lack of adequate alternate routes and the resources to establish and maintain them
- 9) Extensive time required for some tasks (i.e., accident reconstruction, hazardous material (HAZMAT) cleanup)
- 10) Compromised safety of responders and motorists
- 11) Uninformed public with regard to incident management initiatives
- 12) Lack of training for responders
- 13) Lack of adequate planning and preparation for incidents
- 14) Lack of understanding regarding the role of the Kentucky Transportation Cabinet (KYTC)
- 15) Lack of adequate funding
- 16) Poor roadway characteristics

Stakeholders were asked to vote on the value and feasibility of more than 50 potential solutions to address these issues. The solutions receiving the highest scores included: alternate route plans, quick clearance and vehicle removal laws, reference and ramp markers, variable message signs, and a public information campaign.

For Task 6, the Strategic Plan for Highway Incident Management in Kentucky was developed. The Plan consists of a mission statement, 4 goals, 16 objectives, and 49 action strategies. The action strategies are arranged by priority and recommended time frame for implementation. When implemented, the action strategies will help Kentucky achieve its primary goals for incident management:

- Improve Safety of Responders, Highway Workers, and Motorists
- Reduce Traffic Delay
- Improve Motorist Awareness
- Improve Responder and Highway Worker Preparedness

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1.0 INTRODUCTION

1.1 Background

Highway incidents may include crashes, disabled or abandoned vehicles, debris in the roadway, work zones, adverse weather, and other events and emergencies. These incidents often have substantial direct costs, including the deaths, injuries, and property damage that result from highway crashes. In addition, highway incidents may have large secondary costs. Traveler delay, reduced productivity, increased costs of goods and services, increased fuel consumption, increased air pollution, and secondary crashes can result from highway incidents. All of these secondary costs can be minimized through effective management of highway incidents.

The Kentucky Transportation Cabinet (KYTC), in cooperation with the Kentucky Transportation Center (KTC) at the University of Kentucky, has undertaken several initiatives in recent years to improve the management of highway incidents in the Commonwealth. These include the development and preparation of Roadway Incident Emergency Response Workshops; development of detour route maps for every section of Kentucky's Interstate and Parkway Systems; development of a Strategic Plan for Intelligent Transportation Systems (ITS); a study of abandoned vehicles; and preparation of a training workshop (with related materials) on Highway Crash Site Management (HCSM). To date, the HCSM workshop has been presented 16 times throughout the state, with 642 participants, and it has gained substantial national recognition. The KYTC also has a study underway entitled "Evaluate Methods to Limit the Time Taken to Investigate Crash Sites." That study is identifying opportunities to reduce the time required to investigate and clear crash scenes. Those opportunities will be evaluated in terms of their feasibility, costs, and benefits, and recommendations will be developed.

Even though Kentucky has undertaken many initiatives to improve specific aspects of incident management, there has never been a plan that establishes an overall framework for a systematic, statewide, multi-agency effort to improve the management of highway incidents.

1.2 Objective

The objective of this effort was to develop a strategic plan for highway incident management in Kentucky. The strategic plan will provide a vision and strategy for significantly improving all aspects of incident management, including detection, verification, communications, and coordinated response.

1.3 Work Plan

To achieve the objectives of this study, a work plan was developed. The work plan included the following tasks:

- Task 1 – A literature review and survey will be conducted to identify other states or urban areas that have prepared highway incident management strategic plans. The findings

from these efforts will be compiled and evaluated for their applicability to developing a strategic plan for Kentucky.

- Task 2 - An assessment will be conducted to evaluate the current state of highway incident management in Kentucky. The “Traffic Incident Management (TIM) Self-Assessment” tool will be used not only to assess Kentucky’s achievements, but also to identify needs in the area of incident management.
- Task 3 - A few major highway incidents will be identified and documented as Kentucky Incident Management Case Studies. These incidents will be analyzed to identify outstanding policies and procedures, opportunities for improvement, and highway user impacts.
- Task 4 - Based on the results of Tasks 1-3, a set of best practices will be identified, representing the lessons learned and practices implemented by those states or regions that have established themselves as benchmarks in the area of highway incident management. As necessary, site visits will be made to one to three states or urban areas to gather more detailed information on their “best practices.”
- Task 5 - Key stakeholders within Kentucky will be identified and a forum will be conducted to identify issues, challenges, and opportunities related to highway incident management.
- Task 6 - Using input from the above tasks, an Incident Management Strategic Plan will be developed for Kentucky. This plan, when finalized, will represent the final report for the study.

Sections 2.0 through 5.0 of this report describe how these tasks were carried out and the results that were obtained.

2.0 HIGHWAY INCIDENT MANAGEMENT IN THE UNITED STATES

2.1 Literature Review

An extensive literature review was conducted in order to identify other states and regions that had developed strategic plans for incident management. A secondary purpose, of equal importance, was to identify potential solutions or best practices for highway incident management. Over 100 references were reviewed as part of this task. A complete list of these publications, articles, and brochures is included in Appendix A.

Upon initial review of the literature, 77 documents were identified as possibly having some useful information for Kentucky's Strategic Plan. Taking into consideration the age of the publications and the specific needs of Kentucky, 15 key publications were identified and used extensively for the development of this report. Those publications include:

Nine Keys to Success for Traffic Incident Management Programs by the National Traffic Incident Management Coalition

Model Procedures Guide for Highway Incidents by the National Fire Service Incident Management System Consortium Model Procedures Committee

Optimizing the System: Saving Lives, Saving Time by the American Association of State Highway and Transportation Officials

Oklahoma City Area Regional Transportation Study: Incident Management Guide by PB Farradyne

Incident Management Task Force White Paper for the Connecticut Transportation Strategy Board

Strategic Plan for Highway Incident Management in Tennessee by Tennessee Department of Transportation and Vanderbilt Center for Transportation Research

Ohio Quick Clear Best Practices Guide by the Ohio Lane Closure Protocol Committee

Traffic Incident Management Tow Operators Workplan (TIMTOW) Guide by Towing & Recovery Association of America, Inc.

National Conference on Traffic Incident Management, Conference Proceedings

Traffic Incident Management Recommended Operational Guidelines by the Minnesota Incident Management Coordination Team

Chattanooga Urban Area Highway Incident Management Plan by the Chattanooga Urban Area Metropolitan Planning Organization / Chattanooga-Hamilton County Regional Planning Agency

Incident Management on the I-70 Mountain Corridor

Traffic Incident Management Handbook by PB Farradyne

Arizona Statewide Incident Management Plan by PB Farradyne

Incident Management Successful Practices: A Cross-Cutting Study

The literature review was helpful in identifying several locations that had incident management manuals or plans. However, it was determined that only 10 of these areas had strategic plans for incident management. The states or regions that had strategic plans included: the I-70 Corridor, Colorado; Chattanooga, Tennessee; Duluth, Minnesota; Nashville, Tennessee; Oklahoma City, Oklahoma; Southeastern Wisconsin; Woodrow Wilson Bridge project, Washington, DC; Arizona; Tennessee; and Wisconsin.

The developmental process for these plans typically included such things as a literature review, a national survey, and interagency stakeholder involvement. Some of the common items contained within the plans included:

- ✓ Mission, Goals, and Objectives
- ✓ Current State of the Incident Management Program
- ✓ Identification of Problems / Needs
- ✓ Identification of Potential Solutions
- ✓ Performance Measures for the Program
- ✓ Time Frame for Implementation

The findings from the literature review were used to develop “Best Practices in Highway Incident Management” (Section 4.0) and “The Future of Highway Incident Management in Kentucky” (Section 5.0).

2.2 National Survey

The original intent was to supplement the literature review with a national survey in order to identify other states or urban areas that have prepared highway incident management strategic plans. However, because the literature search was so comprehensive and National Cooperative Highway Research Program (NCHRP) Synthesis 318 “Safe and Quick Clearance of Traffic Incidents”¹, which included a national survey, had been recently published in 2003, it was decided that a national survey for this project was not necessary. The relevant information obtained from responses to the NCHRP Synthesis 318 survey is summarized in the following paragraphs.

¹ NCHRP Synthesis 318 “Safe and Quick Clearance of Traffic Incidents.” TRB and Dunn Engineering Associates. 2003

2.2.1 NCHRP Survey

The 49-question survey was distributed to the Transportation Research Board (TRB) state representatives in all 50 states. There were 34 responses. The majority of the respondents represented transportation agencies such as state departments of transportation (DOT) and toll authority officials. Several responses were also received from law enforcement agencies. The responding agencies represented 21 states, with 6 states having multiple jurisdictions included.

As a note, several of the responses referred to attachments, which were not provided or obtained. Therefore, the survey responses summarized in this report may not provide all the information that was provided in the original NCHRP survey responses. Also, some responses contained “blank” answers or multiple answers to a single question so the total number of responses varied per question.

Freeway Service Patrols

Most of the respondents (80%) had freeway service patrols (FSP) operating within their jurisdiction. The FSPs were operated by the DOT, law enforcement, private industry, or other agencies such as toll authorities. The majority of FSPs were operated during limited hours on weekdays and weekends, but a few were operated 24 hours per day and 7 days per week. The FSPs collectively responded to over 331,000 traffic incidents in 2001. Nine agencies had completed a benefit / cost study on their FSP operations.

Incident Management Manuals

Twelve of the respondents had an incident management manual for their jurisdiction, 16 did not have a manual, and two were uncertain. These manuals included strategic plans, incident management plans, or other response manuals.

Incident Response Team

Twelve of the respondents maintained a major incident response team, 17 did not have a team, and one was uncertain.

Crash Investigation Sites

A few of the respondents (10%) had crash investigation sites along freeways in their jurisdiction; however, the majority (83%) did not or were uncertain (7%). The surveyed areas with crash investigation sites included Chicago with 11 sites, the Twin Cities Metro area with 22 sites, and SE Wisconsin with 24 sites. Only one of the three agencies had completed a benefit / cost study on these crash investigation sites.

Traffic Management Centers

Twenty of the 30 respondents had traffic management centers (TMC) within their jurisdiction. These TMCs were managed by the DOT, the FSP, a law enforcement agency, the incident response team, or another entity such as a consulting agency.

Quick Clearance Law

The respondents were almost equally divided with regard to quick clearance laws. Fourteen respondents (47%) had a law that required property-damage-only crashes to be moved out of the travel lanes, and 15 respondents (50%) did not have any quick clearance laws. One respondent was uncertain if there was such a law or not. In several jurisdictions, the laws covered all roadways, while others had laws that only covered limited-access highways.

There were varying levels of satisfaction with the quick clearance laws, with seven respondents expressing satisfaction with the law and three being unsatisfied. The observed benefits of the law included: less traffic backup or congestion, fewer secondary crashes, less incident confusion and danger, and easier movement of response teams. The problems associated with the law included a lack of public awareness, a lack of enforcement, and a lack of penalties for noncompliance.

No respondents had documented the number of times the law had been enforced in 2001. However, the penalty for disobeying these laws varied from a fine of \$50-\$200 up to a felony charge. The most common reason cited by motorists for disobeying the law was they were unaware of it or misinterpreted it. Thirteen of the 30 jurisdictions had programs to inform and educate motorists of the law. These programs were the responsibility of the DOT or state police agency. The following methods were used to inform motorists: brochure, freeway sign, driver guide, media advertising, internet, insurance company campaign, news release, highway advisory radio (HAR), and handouts from FSP.

Of the respondents that did not currently have a law in their jurisdiction, three respondents said a law was being considered and eight were not considering such a law. Seven out of nine jurisdictions without a law replied that law enforcement agencies within their jurisdiction asked motorists to move their property-damage-only crashes to the shoulder or off the roadway even without the law being enacted.

“Hold Harmless” Law

There were 10 jurisdictions (33%) that had a “hold harmless” law providing immunity to incident responders from civil damages in connection with relocating immobilized / abandoned vehicles or non-hazardous cargo/debris from the roadway. Some laws took effect as early as 1998. The incident response agencies that were protected under this law included: DOT, law enforcement, FSP, public works, any public agency, and towing company. The powers provided by this law were not always utilized due to liability concerns, lack of awareness of the law, misinterpretation of the law, and interagency disagreements. There were several methods used to inform responders of the law. These included training, incident management manuals, meetings, correspondence, policies, and questionnaires. Fifty percent of the respondents were either “very satisfied” or “satisfied” with the law. The other 50 percent were either “unsatisfied” or not certain.

No respondents had liability lawsuits filed against them for damages incurred while clearing a traffic incident prior to or after the law went into effect. No respondents had been

named in a lawsuit in connection with a secondary crash for not clearing a traffic incident in a timely manner.

Fourteen jurisdictions (47%) had no such law and six were uncertain if there was a law or not. Of the 14 agencies that did not have a “hold harmless” law, two were considering it.

Abandoned Vehicle Removal

Many jurisdictions (78%) had legislation authorizing the removal of abandoned or disabled vehicles from freeway or major arterial rights-of-way after a specific duration. The duration varied from 2 to 4 hours on controlled-access roadways and up to 72 hours on other roadways.

Interagency Agreements

Forty-three percent of the surveyed jurisdictions had an interagency agreement. However, roughly the same number of surveyed jurisdictions (46%) did not have such an agreement. Interagency agreements outlined the required duties and responsibilities of each agency involved, with regard to the clearance of a traffic incident. The types of agencies involved in these agreements can include DOT, law enforcement, fire department, towing company, FSP, public works, and toll authority.

Mutual Aid Agreements

Mutual aid agreements to facilitate resource sharing involved 48 percent of the respondents. Some of the agencies that were involved in the agreements included DOT, law enforcement, fire department, FSP, incident response team, emergency management, and toll authority.

Clearance Activity Reimbursement

Only 26 percent of the responding jurisdictions had legislation or an agreement requiring commercial carriers or cargo owners to reimburse public agencies for costs incurred during clearance activities.

Clearance Incentives / Penalties

No jurisdiction responded that they had an agreement establishing incentives or penalties for responders regarding the clearance of traffic incidents.

Towing Contracts

The types of public-private towing contracts that existed in the responding jurisdictions included: a rotation list (46%), zone-based licensing (14%), city/region-based licensing (11%), other (7%), no agreement (11%), and unknown (11%). Of the agencies with agreements, the majority of them were signed by police, DOT, or other agencies such as a toll authority. However, private towing companies could be called to the incident for vehicle removal by law

enforcement, a transportation management center, the DOT, the FSP, or others. Five jurisdictions had contracts that stipulated minimum training requirements for private towing operators.

By terms of the contract, the towing companies could charge for base services by either a time-based only system (hourly rate) or a fixed-rate only system (rate per call). Several contracts had no set standard. The contract could also specify that private towing companies bill a specific party such as the contracting agency (5%) or the vehicle owner (28%), while other contracts would not specify. Some contracts permitted the towing company to perform and bill for vehicle repairs as long as the owner consented. Only one jurisdiction had a contract that mandated payment for the private towing company that was called to a traffic incident site but did not provide any service. The majority of the respondents did not have this type of contract.

Relocation of Disabled Vehicles

The majority of responding jurisdictions (77%) relocated disabled vehicles from travel lanes prior to the arrival of a tow truck. Six jurisdictions (20%) did not. The agencies that typically relocated disabled vehicles included FSPs, DOT, and law enforcement. Push bumpers and line tows were the equipment most commonly used to relocate the disabled vehicles. However, if the steering was damaged, the wheels were locked, the brakes were damaged, or the tires were flat, this could prevent a responder from attempting to relocate the vehicle. The vehicles were relocated to the nearest shoulder (59%), the nearest ramp (15%), a crash investigation site (5%), a towing company yard (15%), or some other location (5%) such as a vehicle repair facility. Some jurisdictions immediately relocated disabled vehicles despite the occurrence of minor injuries, while others did not. The average clearance time varied and very few agencies had published clearance time goals.

Flashing Lights

Most responders operated their emergency front and rear flashing lights at an incident site for both in-lane and shoulder incidents. Several used strobe lights in addition to the front and rear flashing lights for incidents in the travel lanes or on the shoulder. Many used amber only lights for incidents on the shoulder only and not in the travel lanes.

Relocation of Spilled, Non-Hazardous Cargo

The majority of responding jurisdictions relocated spilled, non-hazardous cargo from the travel lanes without obtaining permission from the involved operators and owners. However, a few had to obtain permission from the vehicle operator or law enforcement before the spill could be relocated or removed. The agencies that typically handled relocating or removing the cargo included DOT, the towing company, law enforcement, FSP units, or others such as county maintenance crews or private contractors. The agency that handled the removal operations did not typically assume ownership of the abandoned cargo or debris. If a public agency handled the removal operations, they would bill for their services to recoup the costs, according to 76 percent of the respondents.

Small Spill Clean-Up

Slightly over half of the respondents said that the occurrence of a small quantity of petroleum or engine fluid spill did not require response and clean-up by a fire department, hazardous materials (HAZMAT) response team, or environmental agency. The criteria defining a minor spill varied from less than 5 gallons up to 100 gallons (if contained on the roadway). The agencies that removed the spill included law enforcement, FSP units, DOT, and others such as county maintenance crews or independent contractors. Most public agencies billed for the services to recoup their costs for clean-up.

Heavy Vehicle Identification Guide

Twenty-nine percent of respondents said on-site responders reference a preplanned heavy-vehicle identification guide when classifying the type of vehicle involved in an incident for dispatch of off-site towing and recovery operators. Thirty-nine percent did not use a reference guide and 32 percent were uncertain if a guide was used or not. Half of those that did use a guide used the Towing & Recovery Association of America (TRAA) Vehicle Identification Guide.

24-Hour Response

Half of the respondents said that state DOT maintenance workers or FSP operators took an incident response vehicle home in the event of an overnight incident.

Coroner Agreements

Over half of the respondents (52%) said that when there was a fatal crash in their jurisdiction, a medical examiner must respond to the site of the crash before the deceased victim was removed from the scene. Thirty percent of the jurisdictions had legislation or an agreement establishing procedures and responsibilities for removing deceased victims from traffic crashes. The following agencies were listed as the agency that assumed responsibility for transporting a deceased victim: emergency medical services (EMS), state police, or others such as funeral homes. Three of 26 respondents indicated the organ transplant program allowed agencies to immediately transport a deceased victim to the hospital.

Crash Investigation

The following data collection techniques were used by law enforcement agencies for on-site crash investigations: coordinate (traditional) method (39%), total station survey method (37%), photogrammetry method (13%), other (4%), and unknown (7%). Most used the coordinate method and total station survey method, but a few listed photogrammetry in addition to those two. Only two jurisdictions had a published goal for crash investigation time.

Incident Clearance Training

Twenty jurisdictions (67%) say responders received training on traffic incident clearance. The majority of those respondents also trained together with other agencies in their jurisdiction

as well as with other agencies in adjacent regions. Many towing operators in those jurisdictions also receive training on traffic incident clearance.

Incident Management Team

Forty-six percent of responding jurisdictions met to evaluate traffic incident management activities on a regular basis. Twenty-nine percent met only after the occurrence of a major incident. Twenty-five percent did not meet at all or were uncertain if anyone in their jurisdiction met to evaluate incident activities.

Studies

Twenty-eight percent of the respondents had conducted a congestion delay study for their jurisdiction. Only 11 percent had conducted a study of secondary incidents. Twenty-three percent had conducted a cost-benefit study of incident clearance activities.

2.3 Border States Meeting

In November 2004, KTC staff became aware of a planned Incident Management and Security Forum being hosted by the KYTC. Because this Forum would include stakeholders from Kentucky and several surrounding states (Illinois, Ohio, Tennessee, Virginia, and West Virginia), it provided an excellent opportunity to gather information from those stakeholders for Kentucky's Highway Incident Management Strategic Plan. As a result, KTC staff requested permission to conduct an information gathering exercise with the attendees at the Forum.

The Forum was held on December 7, 2004. Attendees included representatives of DOTs, state police, TMCs, emergency operations centers, and FSPs from six states, plus several representatives of the Federal Highway Administration (FHWA). In all, 32 stakeholders participated in the Forum.

To gather information for the Strategic Plan, a "consensus workshop" activity was carried out, facilitated by KTC staff. First of all, attendees were provided with a brief presentation on "Incident Management Challenges and Solutions." The presentation included definitions of terms such as "incident" and "incident management." It also described the purposes and the typical content of a strategic plan for incident management.

Following the presentation, attendees were divided into two groups. Each group was guided through a "consensus workshop" process, focusing on the following two questions.

- 1) What are some of the challenges or problems that arise with regard to incident management?
- 2) What are some solutions (or potential solutions) to address these problems?

In response to the first question, more than 50 challenges or problems were identified. These were organized into the following categories.

- 1) Preparation / Planning
- 2) Communications
- 3) Incident Command / Identifying Who's in Charge at the Scene
- 4) Traffic Management
- 5) Public Information
- 6) Resources
- 7) Institutional Issues
- 8) Location, Assessment, and Response
- 9) Financial
- 10) No Urgency to Clear Scene
- 11) Identification of Authorized Personnel
- 12) Clean-Up
- 13) Personalities

For the second question, participants were asked to brainstorm potential solutions for each category listed above. This process generated a list of over 40 potential solutions.

Complete results from the border states meeting are presented in Appendix B.

3.0 CURRENT STATUS OF HIGHWAY INCIDENT MANAGEMENT IN KENTUCKY

3.1 Self-Assessment

An assessment was conducted to evaluate the current state of highway incident management in Kentucky. The “Traffic Incident Management (TIM) Self-Assessment” tool was used not only to assess Kentucky’s achievements, but also to identify needs in the area of incident management.

3.1.1 National Assessment

The development of the TIM Self-Assessment tool was sponsored by the FHWA. It is a tool to be used by state and regional program managers to assess their achievement of a successful multi-agency program to manage traffic incidents effectively and safely. The tool also provides a method to assess gaps and needs in existing multi-agency regional and statewide efforts to mitigate congestion caused by traffic incidents.

The TIM Self-Assessment consists of a series of 34 questions designed to allow those with traffic incident management responsibilities to rate their performance in three program areas:

- program and institutional issues
- operational issues
- communication and technology issues

The rating scores, based on a scale of 0 to 4, are shown in Table 1. A score of 2 or higher shows that there are multi-agency agreements being developed. Conducted as a group exercise, the TIM Self-Assessment allows for discussion among the group members with the resulting ratings being consensus values. Areas for possible improvement can be identified by the individual question rating. While the score provides a numeric measurement, the most important information will be derived from the discussion of the assessment among the participants. This discussion will provide local agencies valuable information to form or improve a multi-agency program for traffic incident management.

FHWA has specific guidelines for conducting the assessment. It should be conducted as a group exercise and should include as many stakeholders as possible. They should represent every aspect of incident management including the DOT, law enforcement, fire and rescue, environmental protection, towing and recovery, HAZMAT contractors, and local traffic reporting media. The assessment is intended to take approximately three to four hours depending on the size of the group and the amount of discussion generated. Prior to the assessment exercise, each participant should score each topic area of the assessment and return it to the facilitator who will then tally an average score for each question. During the assessment, the facilitator should review each question, present the average score, and then lead a discussion to determine if that average truly represents the group consensus. Once consensus is reached, the score is recorded. This is done for each assessment question. The scores are then tallied to provide an overall TIM score for the program.

Table 1. TIM Program Self-Assessment Scoring Scale

TIM Program Self-Assessment Scoring Scale	
0	No progress in this area
	<i>- has never been discussed</i>
	<i>- has been discussed informally but no action has been taken</i>
1	Very little being done in this area
	<i>- minimal activity, primarily in one agency</i>
	<i>- issue has been acknowledged and is being investigated</i>
2	Efforts in this area are moderate – some good processes exist, but they may not be well integrated / coordinated – results are mixed
	<i>- has been put into practice on a limited or experimental basis</i>
	<i>- some multi-agency agreement cooperation</i>
3	Efforts in this area are strong and results are promising; however, there is still room for improvement
	<i>- has become a generally accepted practice but refinements or changes are being discussed or pursued</i>
	<i>- good multi-agency cooperation but not yet integrated in operations of all agencies as “standard procedure”</i>
4	Efforts in this area are outstanding – there is good integration / coordination with good to excellent results
	<i>- excellent coordination and cooperation among agencies</i>
	<i>- policies and procedures are well integrated in operations of all agencies as “standard procedure”</i>

Assessments were conducted from December 2002 through September 2003 in the top 75 urban areas of the United States. A total of 70 assessments were completed.

3.1.2 Kentucky Assessment

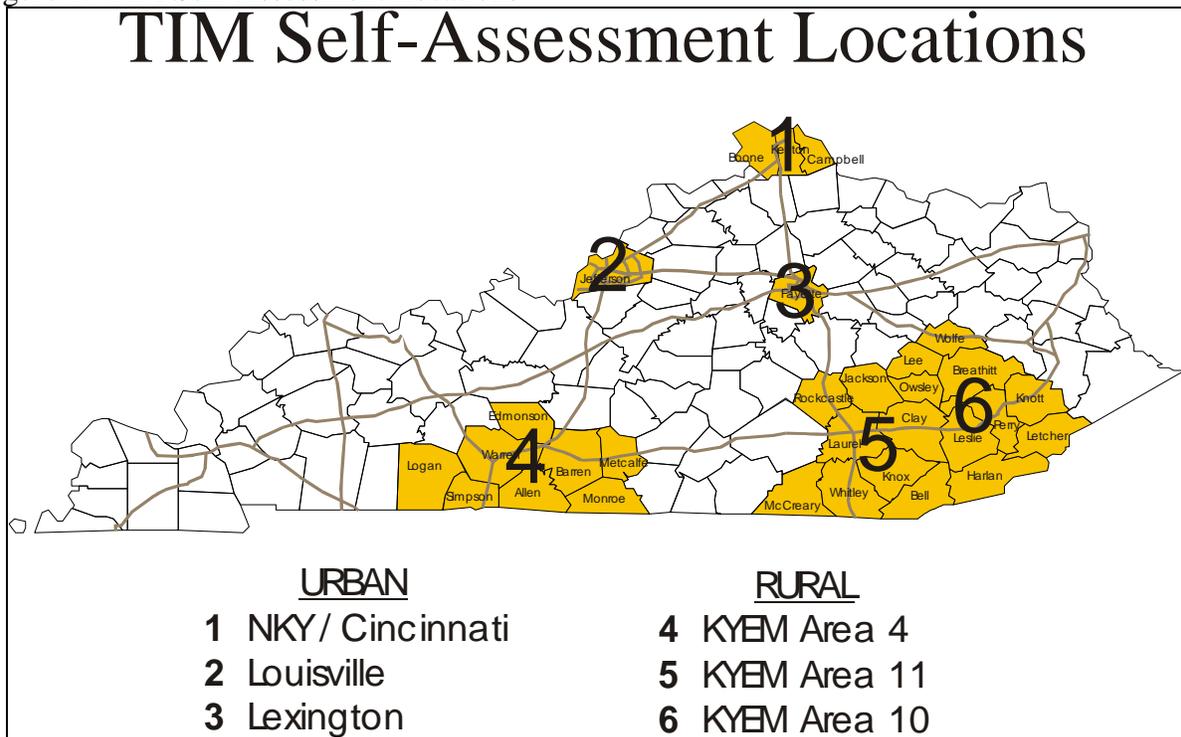
Areas of Kentucky included in the national TIM Self-Assessment were Lexington, Louisville, and Northern Kentucky / Cincinnati. These three assessments covered five counties in Kentucky.

In order to have a clearer picture of the current state of highway incident management in Kentucky, assessments were needed from rural areas of the state as well. Kentucky Emergency Management (KYEM) volunteered to help with this effort. The initial plan was to work with KYEM to hold two or three assessment meetings in rural locations following the guidelines provided by FHWA. However, due to personnel changes and time constraints, the assessments were not completed as suggested. Instead, the assessments were sent to three KYEM areas in rural regions of the state and distributed to the KYEM area managers, the KYEM county directors, and several law enforcement agencies in those regions to fill out individually. In all, the assessments were sent to 34 individuals in 27 counties. Of those, assessments were received from 27 individuals covering 25 counties.

When reviewing the scores from the rural regions, it is important to keep in mind that these scores are averages of the individual KYEM areas and not consensus scores. The surveyed individuals may not be aware of all the incident management activities being undertaken in their region. Although these assessments do help to get a better picture of the incident management activities in rural Kentucky, they do not represent the same information as obtained through the national TIM self-assessment in Lexington, Louisville, and Northern Kentucky / Cincinnati.

Combining the results from both the urban and rural assessments, 30 of the 120 counties were assessed to determine the current state of highway incident management in Kentucky (Figure 1).

Figure 1. TIM Self-Assessment Locations



The overall national average score was 1.8 out of 4.0. The Northern Kentucky / Cincinnati region and the Lexington area scored above the national average with 3.0 and 2.7, respectively. Louisville was ranked next with 1.4, followed by KYEM Area 4 with 1.3, KYEM Area 10 with 0.9, and KYEM Area 11 with 0.6.

In general, Lexington and the Northern Kentucky / Cincinnati region have well-established TIM programs compared to other parts of the country. Louisville scored below the national average which indicated a lack of many of the key components of a successful TIM program. Based upon the assessments received, the scoring in the rural regions showed there were limited multi-agency incident management activities being conducted.

3.1.2.1 Rural Regions

The three rural areas scored best in the operational issue category. This category included questions regarding procedures for major incidents, responder and motorist safety, and response and clearance policies and procedures. Reviewing individual questions, the issues of utilizing the Incident Command System (ICS) and having a two-way interagency voice communications system scored highest. Those issues were followed closely by identification of high ranking agency members that are available on a “24/7” basis to respond to a major incident, having a pre-identified contact list of resources, and having a pre-qualified list of available towing and recovery operators.

In general, the rural areas showed moderate progress in the following areas:

- identification of high ranking agency members that are available around the clock to respond to an incident
- pre-identified resource list
- training of responders in traffic control procedures
- mutually understood equipment staging and emergency lighting procedures
- incident command system utilization
- policies or procedures for fatal crash investigation
- policies or procedures for HAZMAT response
- pre-qualified list of towing operators
- two-way interagency voice communications system

The rural areas seemed to need the most improvement in the program and institutional issue category which included questions regarding formal TIM programs, TIM administrative teams, and performance measures. Out of those, the individual questions that scored the lowest included questions regarding performance measures, providing motorists with travel time estimates for route segments, and development of a technical infrastructure for surveillance and rapid detection of incidents.

In general, the rural areas showed little progress in the following areas:

- multi-agency, multi-year strategic plans
- formal interagency agreements on operational and administrative procedures and policies
- plans with field-level input to assure their implementation is workable by those responsible
- formalized TIM multi-agency administrative teams
- program performance measures
- established targets for performance with periodic review of progress achieved
- quick clearance policies
- data and video information transferable between agencies
- use of traffic management centers
- development of a technical infrastructure for surveillance and detection
- policies for traffic management during incident response
- integration of information from multiple sources

- real-time motorist information
- travel time estimates for route segments

3.1.2.2 Urban Regions

The three urban areas scored the best in the operational issue category, followed closely by the communication and technology issues category. The urban areas scored lowest in the program and institutional issues category.

The issue that needed the least amount of improvement was response and clearance policies and procedures. In general, the urban areas showed strong progress in the following areas:

- identification of high ranking agency members that are available around the clock to respond to an incident
- pre-identified resource list
- incident command system utilization
- policies or procedures for fatal crash investigation
- policies or procedures for HAZMAT response
- plans with field-level input to assure their implementation is workable by those responsible
- plans for “special events”
- technical infrastructure for surveillance and rapid detection of traffic incidents
- integration of information from multiple sources

The four lowest scoring individual questions that needed the most improvement dealt with performance measures. These areas included:

- tracking of performance measures
- methods to collect and analyze performance measures
- established targets for performance for response and clearance
- periodic review of progress being made to achieve the targets

A complete summary of the TIM self-assessment tool and the findings are presented in Appendix C.

3.2 Analysis and Evaluation of Incident Case Studies

There are a wide range of incidents that cause congestion and delay. The most common non-recurring type of delay is typically associated with vehicular crashes and the resulting response activities. Impacts of delay are dependent upon the individual circumstances of drivers and the purpose of their trip. For some drivers, the cost and experience of delay can be significant, while for others it may only be a minor level of inconvenience and costs. The continued dominance of trucks as the primary means of freight transport has increased the level of costs associated with delays experienced by drivers and owners of trucks. Just-in-time delivery raises the cost of delay to an even higher level when manufacturers are literally using

the moving truck as the source of inventory and stockpile of supplies. Service industries are another example of businesses that do not function when transportation is interrupted.

As a means of examining the impact and delay associated with highway crashes, five case studies were selected to demonstrate the costs and safety consequences of these types of incidents. The highway crash incidents ranged from relatively minor delay resulting from a hazardous spill after a tractor-trailer overturned on a rural section of the Bluegrass/Martha Collins Parkway in Washington County to near gridlock in Louisville when three separate and unrelated crashes occurred prior to and during rush hour on sections of I-65 and I-64 at nearly the same time. Two of the case studies were secondary crashes that occurred on I-65 in Larue County and I-71 in Carroll County. Both of these secondary crashes resulted in fatal injuries to the drivers of the tractor-trailers that impacted the rear of other vehicles stopped at the end of a queue of traffic. These traffic queues were 4.0 and 9.5 miles long, with respective road closure times of 12 and 18 hours.

Applying road user costs developed from the Highway Economic Requirements System² and Transportation Research Board Circular 477³, each of the five case studies was analyzed and estimates of delay were calculated. The delay cost estimates ranged from \$131,000 for the incident on the Bluegrass/Martha Collins Parkway in Washington County to \$1.3 million for the combined incidents involving three separate crashes in Louisville within a 24-hour period. The total estimate of delay costs for all five case studies was \$3.25 million.

The primary objective of the case study analysis was to review available information related to selected incidents and determine if there was useful incident management information that could be extracted from the experiences of others. In addition to the delay costs estimated and listed as “Road User/Highway Impacts”, observations from the analyses were also summarized as “Effective Policies and Procedures” and “Opportunities for Improvements”. Highlights and observations from the case study analysis are listed below:

Effective Policies and Procedures

- Detours had been used effectively to reduce delays
- Multiple agencies had been able to work together without major consequence
- Notification and verification was effective in most cases
- KYTC maintenance personnel had been used effectively for traffic control
- A traffic management center can be an asset for major incidents
- Freeway service patrol involvement was timely and beneficial

Opportunities for Improvements

- Secondary crashes could be decreased with an improved warning system at the end of the stopped traffic queue
- HAZMAT response appeared to have the greatest potential for improvement
- Coroner or State Medical Examiner involvement with skeletal remains can increase delay
- Security breaches increased when multiple agencies responded

² *Highway Economic Requirements System, Federal Highway Administration, July 1991.*

³ *Assessing the Economic Impact of Transportation Projects, Transportation Research Board Circular 477, October 1997.*

- Improved communication is needed to determine capabilities of tow companies
- Transfer of loads had potential for extended and unwarranted delays
- Lack of knowledge relative to local authority can increase delay

Following is a more detailed summary of each of the five case studies; including location information, descriptions of the crash circumstances, and observations related to effective practices, as well as opportunities for improvement. Selected photographs for each of the case studies are also included.

Incident Management Case Study No. 1

Location: I-75, Laurel County - Milepoint 50.0

Date and Time: April 5, 2004 - 11:25 pm

Agencies Involved: Kentucky State Police (KSP), Laurel County Sheriff, London Police, Laurel County EMS, Laurel County Emergency Management Agency (EMA), East Bernstadt Volunteer Fire Department (VFD), Area 11 HAZMAT Team, Rockcastle County Sheriff, Rockcastle County EMA, Knox County EMA, Clay County EMA, Laurel County Coroner, Area 12 HAZMAT Team, KY Vehicle Enforcement (KVE), State Fire Marshall's Office, State Medical Examiner's Office, KYTC, 41st Civil Support Team, Kentucky Environmental Protection Agency (EPA), Federal EPA, Tetras Air Monitoring, CMC Contractor, and tow companies

Injuries: 2 fatalities, 1 incapacitating injury

Closure Time: 40 hours

Traffic Volume and Composition:

AADT = 34,600 % Trucks = 43.0

Crash Description: A passenger vehicle (Cadillac Eldorado) was northbound on I-75 in a construction zone and impacted a crash cushion on the left shoulder and then rotated across the two northbound lanes where it impacted the guardrail and came to rest in the northbound lanes of travel. A northbound tractor-trailer carrying sodium dithionite impacted the passenger vehicle, went out of control, overturned, and traveled through the east-side guardrail and over an embankment where it burned for several hours.

Effective Policies and Procedures:

- Use of detours as noted on maps were beneficial
- Evacuation procedures were without incident
- Multiple agency involvement without injuries to responders

Opportunities for Improvements:

- Command post security and protocol were breached
- State Medical Examiner's requirement to inspect skeletal remains created potential for additional delay
- Coroner's proximity and availability created delay potential
- KSP not equipped to work in HAZMAT zone resulted in possible delay to complete police investigation and reconstruction

Road User/Highway Impacts:

- Various lane closures up to 40 hours
- Estimated delay cost of \$1.1 million if both directions closed (based on passenger vehicles @ \$12/hour and trucks @ \$28/hour)

Figure 2. Case Study No. 1 Selected Photographs



Incident Management Case Study No. 2

Location: Bluegrass Parkway, Washington County - Milepoint 44.3

Date and Time: July 11, 2004 – 4:25 am

Agencies Involved: KSP, Washington County Office of Emergency Management, Washington County and Willisburg EMS, State Fire Marshall's Office, Willisburg Fire Department, Mackville Fire Department, KYEM, Washington County Judge-Executive, KYTC, and tow companies

Injuries: No injuries

Closure Time: 19 hours

Traffic Volume and Composition:

ADT = 10,025 % Trucks = 28.4

Crash Description: A tractor-trailer (tanker type with 5 axles) was heading westbound and overturned as a result of a driver attempting to steer around a deer entering the roadway. After overturning the tanker began to leak a small amount of toluene diisocyanate resulting in a HAZMAT response.

Effective Policies and Procedures:

- Procedures used did not result in significant delays or injuries

Opportunities for Improvement:

- Security at the scene was breached and could have been improved by requiring all responders to check-in at the command post
- Driver of the tanker truck should have been tested for contamination prior to coming in contact with other responders
- Delays associated with removing the truck and transferring the hazardous materials could have been decreased by using a local company rather than allowing the owner of the tanker to be responsible; resulting in significant delay associated with travel time and equipment problems after arrival on scene
- Early contact and coordination with KYTC could have reduced the delay associated with placing signs for detours
- Improved communication with the tow company could have prevented arrival at scene without HAZMAT equipment
- KSP interaction with command post could have been improved
- Additional knowledge of local authority relative to quick clearance could have reduced time to remove vehicles and hazardous materials

Road User/Highway Impacts:

- Road closed for approximately 19 hours
- Estimated cost of delay was \$131,300

Figure 3. Case Study No. 2 Selected Photographs



Incident Management Case Study No. 3

Location: I-65, Louisville - Milepoint 137 (AADT = 132,200 %Trucks = 11.1)
I-64, Louisville - Milepoint 1.0 (AADT = 70,240 %Trucks = 12.7)
I-64, Louisville - Milepoint 5.2 (AADT = 148,550 %Trucks = 5.8)

Date and Time: October 6, 2004 – 6:50 am (closure time 4 hours)
October 6, 2004 – 9:00 am (closure time 3 hours)
October 7, 2004 – 3:00 am (closure time 11 hours)

Agencies Involved: Louisville Metro Police, Louisville Metro Fire, Louisville Metro EMS, Louisville Coroner's Office, Traffic Response and Incident Management Assisting the River Cities (TRIMARC) FSP, KYTC, and tow companies

Injuries: 1 fatality

Crash Description: Collision at 6:50 a.m. on the Kennedy Bridge involving a tractor-trailer and two passenger vehicles resulted in fatal injuries to a driver of one of the passenger vehicles. Northbound lanes of I-65 were closed and a secondary crash occurred in the southbound lanes at approximately 7:00 am. Another crash occurred at 9:00 am on I-64 westbound on the Sherman Minton Bridge involving tractor-trailers and passenger vehicles. At 3:00 am on the following day, a tractor-trailer overturned on I-64 eastbound in the area of the intersection with I-65.

Effective Policies and Procedures:

- Notification and verification of incidents were timely
- TRIMARC dissemination of information was beneficial
- FSP involvement were timely and beneficial
- KYTC provided timely support for traffic control

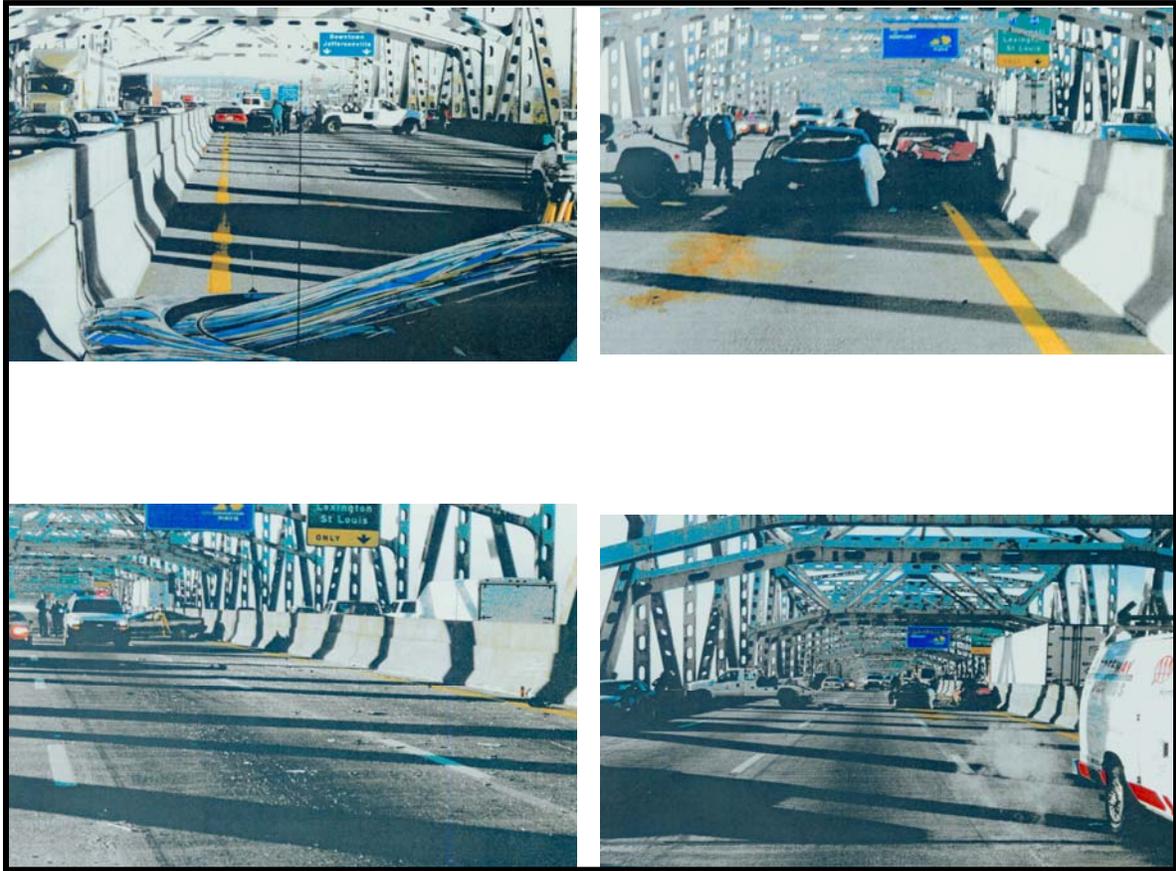
Opportunities for Improvements:

- Reduced investigation time for fatal crash
- Need for coordination of multiple incidents
- Area-wide impact of multiple incidents should be considered
- FSP involvement decreased routine patrols
- Extended lane closures by KYTC limited opportunity for other work
- Tow company assignments needed to be formalized to prevent on-scene issues
- Needed definitive and prioritized procedures for cargo transfer and clean up
- Increased use of monitoring cameras would assist traffic managers
- Increased use of HAR would assist motorists
- Application of WIZARD (CB radio override broadcast) would assist motorists

Road User/Highway Impacts:

- Various lane closures of approximately 18 hours involving 3 incidents
- Estimated delay cost of approximately \$1.3 million if all lanes closed in both directions

Figure 4. Case Study No. 3 Selected Photographs



Incident Management Case Study No. 4

Location: I-65, Larue County - Milepoint 77.6

Date and Time: August 31, 2004 – 9:20 am

Agencies Involved: KSP, Hart County EMS, Hardin County EMS, and tow companies

Injuries: 1 fatality

Closure Time: 18 hours

Traffic Volume and Composition:

AADT = 33,700 %Trucks = 45.4

Crash Description: Secondary crash involving a tractor-trailer impacting the rear of a tractor-trailer stopped in the southbound lanes as a result of another crash earlier in the northbound direction where a tractor-trailer had spilled a hazardous chemical (vinyl toluene). Initial crash was 5 hours earlier and 9.5 miles south of secondary crash. Initial crash resulted in a closure of I-65 in both directions for 18 hours. The secondary crash was cleared in approximately 11 hours.

Effective Policies and Procedures:

- None identified

Opportunities for Improvements:

- Need for increased warning to drivers approaching stopped traffic at end of queue
- Increased responders' awareness of potential problems related to secondary crashes
- Increased use of KYTC to provide moving traffic control at end of queue
- Considered use of citizen-band (CB) radio override system to alert drivers of stopped traffic

Road User/Highway Impacts:

- Lane closures for 18 hours due to initial crash
- Estimated road user delay cost of \$487,000

Figure 5. Case Study No. 4 Selected Photographs



Incident Management Case Study No. 5

Location: I-71, Carroll County - Milepoint 43.2

Date and Time: June 29, 2004 – 3:35 pm

Agencies Involved: KSP, Carroll County EMS, Carroll County Coroner, and tow companies

Injuries: 1 fatality, 1 incapacitating, 1 possible injury

Closure Time: 12 hours

Traffic Volume and Composition:

AADT = 27,800 %Trucks = 33.2

Crash Description: Secondary crash related to a previous crash (1 hr. 30 min. earlier); resulted in traffic backup over a distance of approximately 4 miles. Initial crash involved tractor-trailer jackknifing through guardrail after steel coil broke trailer unit. Secondary crash involved an oversized tractor-trailer hauling a slag bucket. Driver of tractor-trailer failed to observe stopped traffic and chain-reaction rear end impacts involved 5 other vehicles. Driver of tractor-trailer was fatally injured when trailer overturned and fire resulted from impact with another tractor-trailer.

Effective Policies and Procedures:

- None identified

Opportunities for Improvements:

- Need for increased warning to drivers approaching stopped traffic at end of queue
- Increased responders' awareness of potential problems related to secondary crashes
- Increased use of KYTC to provide moving traffic control at end of queue
- Considered use of CB radio override system to alert drivers of stopped traffic

Road User/Highway Impacts:

- Lane closures for 12 hours
- Estimated delay cost of approximately \$120,000 for one direction of travel or \$240,000 for both directions

Figure 6. Case Study No. 5 Selected Photographs



3.3 Stakeholder Forum

Key stakeholders within Kentucky were identified and a forum was conducted to identify issues, challenges, and opportunities related to highway incident management.

The Incident Management Stakeholder Forum was held on Monday, February 28, 2005 and again on Tuesday, March 1, 2005 (with the same agenda for both days) at the KYTC Central Office in Frankfort. Over 230 people were invited to the forum. There were 103 people total that attended, 58 on Monday and 45 on Tuesday.

The Forum started with a brief presentation. The presentation covered the project goal; the definition of an incident, incident management, and an incident management strategic plan; and a description of what the forum hoped to achieve. After the presentation, the attendees were divided into three groups. The first half of the day was spent brainstorming on the focus question, “What are some challenges or problems that arise with regard to incident management?” The stakeholders expressed over 270 challenges or problems, many of which were shared by more than one person. Most issues were grouped into one of the following areas:

- 1) Lack of understanding and use of the ICS
- 2) Difficulty getting timely, accurate traffic information to the public
- 3) Difficulty in quickly detecting an incident and accurately verifying the details
- 4) Lack of effective communication and coordination among responding agencies
- 5) Varying priorities regarding quick clearance
- 6) Lack of understanding regarding available resources and who can or should provide them
- 7) Lengthy response times by some agencies
- 8) Lack of adequate alternate routes and the resources to establish and maintain them
- 9) Extensive time required for some tasks (i.e., accident reconstruction, HAZMAT cleanup)
- 10) Compromised safety of responders and motorists
- 11) Uninformed public with regard to incident management initiatives
- 12) Lack of training for responders
- 13) Lack of adequate planning and preparation for incidents
- 14) Lack of understanding regarding the role of KYTC
- 15) Lack of adequate funding
- 16) Poor roadway characteristics

The second half of the day was spent brainstorming on the focus question, “What are some solutions or potential solutions to address these problems?” The stakeholders identified over 240 potential solutions, many of which were shared by more than one person. Table 2 represents most of the ideas from the stakeholders. Some unique ideas that should also be mentioned include:

- 1) Use of portable barrier curtains to block the view of passing motorists
- 2) Availability of fully staffed and equipped HAZMAT teams on interstates and parkways for quick response

- 3) Better coordination with the media and a single public information officer (PIO) for all agencies
- 4) Development of a ranking system regarding the seriousness of incidents
- 5) Implementation of a full-scale mock disaster exercise for training purposes
- 6) Designation of an on-scene traffic manager for incidents
- 7) Implementation of a statewide incident command radio channel
- 8) Inclusion of incident management training in basic academies
- 9) Limit construction operations from 10 pm to 4 am
- 10) Host “meet and greet” meetings for responders

A complete summary of the stakeholder forum results is presented in Appendix D.

The day ended with the groups reconvening to vote on 54 potential solutions that had been compiled from documents obtained from the literature review. A general description of the solution was presented and stakeholders were asked to vote twice, once on value and once on feasibility. The voting scale ranged from 1 to 10 (Figure 7). A list of the potential solutions and the voting scores are presented in Table 2 on the following page.

Figure 7. Potential Solutions – Voting Scale

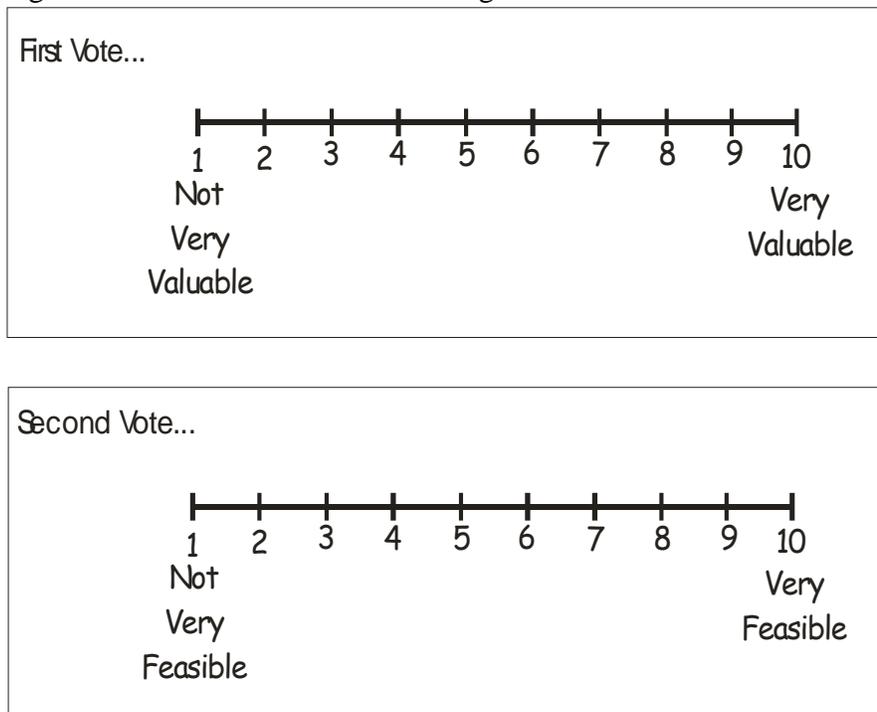


Table 2. Stakeholder Voting Results

Text	Average Combined Score ¹	Top 10 as Voted by the Following Stakeholder Groups ²												
		All	North	South	East	West	Central	Law Enforcement	Emergency Management	Fire	EMS	KY/C	Towing	Vehicle Enforcement
Alternate Route Plan	9.05	X	X	X	X	X	X	X	X	X	X	X	X	X
Quick Clearance / Vehicle Removal Laws	8.9	X	X	X	X	X	X	X	X	X	X	X	X	X
Reference and Ramp Markers	8.9	X	X	X	X	X	X	X	X	X	X	X	X	X
Variable Message Signs	8.9	X	X	X	X	X	X	X	X	X	X	X	X	X
Public Information Campaign	8.8	X	X	X	X	X	X	X	X	X	X	X	X	X
Incident Command / Command Posts	8.8	X	X	X	X	X	X	X	X	X	X	X	X	X
Clean Up of Fuel Spills	8.7	X	X	X	X	X	X	X	X	X	X	X	X	X
Personnel Resource List	8.7	X	X	X	X	X	X	X	X	X	X	X	X	X
Multi-Agency Responder Training	8.6	X	X	X	X	X	X	X	X	X	X	X	X	X
Equipment and Materials Resource List	8.55	X	X	X	X	X	X	X	X	X	X	X	X	X
Post-Incident Debriefings	8.5	X	X	X	X	X	X	X	X	X	X	X	X	X
Incident Response & HazMat Manuals	8.45	X	X	X	X	X	X	X	X	X	X	X	X	X
Incident Management Strategic Plan	8.45	X	X	X	X	X	X	X	X	X	X	X	X	X
Traffic Control Training (for Emergency Responders)	8.35	X	X	X	X	X	X	X	X	X	X	X	X	X
Hazardous Material Ordinance	8.1	X	X	X	X	X	X	X	X	X	X	X	X	X
Total Station Surveying Equipment	8.1	X	X	X	X	X	X	X	X	X	X	X	X	X
Exemption from Liability	8.05	X	X	X	X	X	X	X	X	X	X	X	X	X
Barrier Gates / Openings	8.05	X	X	X	X	X	X	X	X	X	X	X	X	X
Highway Advisory Radio	7.95	X	X	X	X	X	X	X	X	X	X	X	X	X
Staging Areas	7.95	X	X	X	X	X	X	X	X	X	X	X	X	X
Incident Management Task Force	7.95	X	X	X	X	X	X	X	X	X	X	X	X	X
Local Incident Management Teams	7.95	X	X	X	X	X	X	X	X	X	X	X	X	X
Towing Incentive Programs	7.9	X	X	X	X	X	X	X	X	X	X	X	X	X
Incident Reporting Hotline	7.85	X	X	X	X	X	X	X	X	X	X	X	X	X
Communications Interoperability	7.85	X	X	X	X	X	X	X	X	X	X	X	X	X
Freeway Service Patrols	7.8	X	X	X	X	X	X	X	X	X	X	X	X	X
24-Hour Incident Response	7.75	X	X	X	X	X	X	X	X	X	X	X	X	X
Automatic Cargo Identification	7.65	X	X	X	X	X	X	X	X	X	X	X	X	X
Emergency Response Vehicle Parking	7.6	X	X	X	X	X	X	X	X	X	X	X	X	X
Push Bumpers	7.5	X	X	X	X	X	X	X	X	X	X	X	X	X
Inflatable Air Bag Systems	7.5	X	X	X	X	X	X	X	X	X	X	X	X	X
Identification Arm Bands & Vests	7.45	X	X	X	X	X	X	X	X	X	X	X	X	X
Closed Circuit TV	7.45	X	X	X	X	X	X	X	X	X	X	X	X	X
Roadway Weather Information Systems	7.35	X	X	X	X	X	X	X	X	X	X	X	X	X
Photogrammetry	7.3	X	X	X	X	X	X	X	X	X	X	X	X	X
Traffic Management Centers	7.3	X	X	X	X	X	X	X	X	X	X	X	X	X
Equipment Storage sites	7.15	X	X	X	X	X	X	X	X	X	X	X	X	X
Automatic Vehicle Location equipment	7.15	X	X	X	X	X	X	X	X	X	X	X	X	X
Automated Incident Detection Technologies	7.15	X	X	X	X	X	X	X	X	X	X	X	X	X
Fleet Operators for Incident Detection	7.1	X	X	X	X	X	X	X	X	X	X	X	X	X
Open Roads Policy	7.1	X	X	X	X	X	X	X	X	X	X	X	X	X
Incident Response Teams	7.1	X	X	X	X	X	X	X	X	X	X	X	X	X
Ramp Closures	7.05	X	X	X	X	X	X	X	X	X	X	X	X	X
Coroner Agreements	6.95	X	X	X	X	X	X	X	X	X	X	X	X	X
Police Escorts for Wrong-Way Entrance	6.9	X	X	X	X	X	X	X	X	X	X	X	X	X
Emergency Vehicle Lighting Plan	6.6	X	X	X	X	X	X	X	X	X	X	X	X	X
Compensation of Incident Removal Costs	6.55	X	X	X	X	X	X	X	X	X	X	X	X	X
Citizen-Band Radio Monitoring	6.45	X	X	X	X	X	X	X	X	X	X	X	X	X
Contra Flow Diversion	6.3	X	X	X	X	X	X	X	X	X	X	X	X	X
Access to Fire Hydrants	6.3	X	X	X	X	X	X	X	X	X	X	X	X	X
Aircraft Patrols	5.95	X	X	X	X	X	X	X	X	X	X	X	X	X
Incident Video Coverage	5.85	X	X	X	X	X	X	X	X	X	X	X	X	X
Crash Investigation Sites	5.65	X	X	X	X	X	X	X	X	X	X	X	X	X
Peak Period Motorcycle Patrols	5.45	X	X	X	X	X	X	X	X	X	X	X	X	X

¹Based Equally on Value and Feasibility. Results combined for both Monday and Tuesday.

²In the event of a tie, some stakeholder groups may have more than 10 solutions marked.

Red "X" indicates top 5 solutions for that stakeholder group. May have more than 5 if solutions tied.

3.4 Statutes and Regulations

As part of the evaluation of the current status of highway incident management in Kentucky, a review of the Kentucky Revised Statutes (KRS) and the Kentucky Administrative Regulations (KAR) was conducted. Each of the following Statutes or Regulations has some component that relates to incident management activities. The full-text content of each statute and regulation is included as Appendix E.

- KRS 72.020 Duty of person, hospital, or institution finding or possessing dead body -- Duties of coroner, law enforcement officer, embalmer, funeral director, or ambulance service.
- KRS 39A.010 Legislative intent -- Necessity.
- KRS 39A.020 Definitions for KRS Chapters 39A to 39F.
- KRS 39A.030 Rationale and purpose of program -- Division of Emergency Management.
- KRS 39A.050 Responsibility of division for coordinating disaster and emergency services -- Powers, authorities, and duties.
- KRS 39A.060 Nature and scope of comprehensive program -- Director under direction of adjutant general.
- KRS 39A.070 Powers, responsibilities, and duties of director.
- KRS 39A.150 Traffic control plans -- Executive orders.
- KRS 39A.160 Witnesses -- Production of records and documents.
- KRS 39A.220 Agency emergency operations procedures.
- KRS 39A.230 Procedures for one multi-risk, multi-agency, unified incident command or management system.
- KRS 39A.240 State Emergency Operations Center -- Agency representatives.
- KRS 39A.280 Nature of disaster and emergency response functions provided by state or local management agency -- Immunity, exceptions.
- KRS 70.150 Sheriff to patrol roads -- Record of accidents.
- KRS 174.065 Traffic safety.
- KRS 174.135 Office of Transportation Operations Center.

- KRS 177.020 State primary roads to be designated and controlled by the Department of Highways -- Notice to fiscal court and affected citizens -- Definition of rural and secondary roads -- Transfer of county roads to rural secondary system.
- KRS 189.231 State maintained highways -- Restriction and regulation of traffic.
- KRS 189.232 Definition of "highway work zone."
- KRS 189.2325 Posting of signs advising motorists of increased traffic penalties in state highway work zones.
- KRS 189.450 Stopping, standing, or repairing vehicle on roadway or shoulders of highway.
- KRS 189.580 Duty in case of accident.
- KRS 189.635 Vehicle accident reports by operators, law enforcement officers, and agencies -- Availability to parties to accident and news-gathering organizations.
- KRS 189.751 Abandonment of vehicle on county road or city street -- Penalty --Removal -- Disposition.
- KRS 189.753 Abandonment of motor vehicle on state highway -- Presumption -- Notification -- Removal.
- KRS 189.910 Definitions for KRS 189.920 to 189.950.
- KRS 189.920 Flashing lights.
- KRS 189.930 Right-of-way to emergency vehicles -- Blocking or following emergency vehicles -- Driving over unprotected hoses of fire department.
- KRS 189.940 Exemptions from traffic regulations.
- KRS 189.950 Prohibitions -- Exceptions.
- 502 KAR 15:010. Accident reports.
- 502 KAR 15:010. Definitions.
- 603 KAR 5:025. Fully-controlled access highways.
- 603 KAR 5:080. Truck detours.
- 603 KAR 5:320. Safety in highway work zones.

4.0 BEST PRACTICES IN HIGHWAY INCIDENT MANAGEMENT

The following strategies have been identified as best practices based upon their implementation in other areas and/or their identification as a best practice by multiple agencies. These strategies are used to improve the detection, verification, response, management, or clearance of an incident. Best practices for highway incident management include the following strategies:

Advanced Technology

The application of advanced technology for highway incident management is one of the most popular strategies nationwide. Technology is used to improve the detection and verification of incidents, the response of emergency personnel, and the delivery of information to motorists. Closed circuit television (CCTV) for incident verification and strategically placed variable message signs (VMS) for motorist information are probably the most highly touted forms of advanced technology for highway incident management. For incident response, automatic vehicle location (AVL) and computer aided dispatch (CAD) are often used. Other technologies that are being used to improve highway incident management include: incident detection systems, roadway weather information systems (RWIS), geographic information systems, HAR, mayday systems, kiosks, and personal digital assistants (PDAs).

Alternate Route Plans

Preplanned alternate routes are essential to keep traffic moving when an incident occurs. These routes should be reviewed to ensure they are adequate for all types of vehicles. Information on these routes needs to be provided to responders so they can direct traffic to the appropriate route when necessary. Information also needs to be accessible to the public, so they can take the alternate route if they choose. It is also important to work with local communities who are affected by the detours. They may need to temporarily change their traffic signals to accommodate the influx of traffic. Trailblazing detour signs are very beneficial in marking the route so law enforcement officers are not needed to keep motorists from getting lost on the detour.

Cleanup of Small Fuel Spills

Some jurisdictions have laws or policies in place that allow them to respond differently to small fuel spills. Incidental amounts of fuel do not require the same level of HAZMAT resources as a large incident.

Detailed Reference Markers

Closely spaced reference markers can help drivers to identify their exact location when reporting an incident. Many areas use 1/10 or 1/5 mile increments, but any distance (less than a mile) could be used to refer to closely spaced reference markers. These detailed reference markers also contain highway and directional information. Many areas also use ramp

identification signs or overpass name signs that provide additional location information to the driver.

Emergency Turnarounds

In areas where traffic is heavy or there are unusually long distances between interchanges or crossovers, median turning points are installed. These emergency turnarounds allow easier access for responding vehicles, and should be designed to accommodate fire vehicles.

Flashing Lights Policy

It has been established that motorists can be and often are distracted by bright, flashing lights. Instead of avoiding the scene, motorists are often “attracted” to the lights. In order to reduce driver distraction, many areas are developing emergency lighting policies for agencies responding to an incident scene. Amber lighting has been identified as the preferred choice for many incident management programs.

Freeway Service Patrols

Freeway safety patrols are used to traverse the roadway and help stranded motorists, clear the road of debris, and to aid in minor incidents. These programs are well received by the public everywhere they are used. They can also help to lighten the burden on law enforcement agencies. The best FSP programs use multi-purpose vehicles with arrow boards or message boards to communicate to on-coming motorists.

Improved Investigation / Clearance Methods

Expedited crash investigation and clearance methods are being used all over the country. Total station, photogrammetry, and global positioning systems (GPS) are some of the crash reconstruction methods that should be considered to lessen the time required on scene. Officers are also completing their paper work off the roadway and practicing the method of “linear recovery”. This method allows the least number of lanes to be blocked to traffic. Some agencies have found that their traffic collision form needs to be modified for quick clearance. By designating (and separating) the information that needs to be collected on scene, officers can collect that information first and then move everything out of the roadway and complete the investigation. Several states have raised the damage limits to higher amounts, reflecting inflation in the cost of vehicle repairs. This can result in fewer reportable crashes. Push bumpers are also an important piece of equipment being used on responder to vehicles to promote quick clearance.

Improved Training for Responders

Interagency training for highway incident management should be provided for all emergency response personnel, including the private sector agencies. Multi-agency training helps everyone better understand their roles and improves communication. Other areas where personnel may need specialized training include: HAZMAT identification, call-taking, and emergency traffic control.

Incident Management Planning for Construction Zones

One approach to incident management planning for construction zones is full road closures. This means completely shutting down the roadway while work is underway. Incentives for opening the roadway more quickly and disincentives for keeping it closed longer are often used with this method. Another option is to have only night or off-peak closures. These may be full or partial closures. Some areas limit the types of vehicles that can use the roadway. For instance, passenger vehicles may be directed to an alternate route while commercial vehicles remain on the main roadway. ITS technology can be used in work zones to expedite traffic flow through the area, inform motorists of pertinent information, and improve safety.

Incident Response Guides

Incident response guides are quick reference guides for all responders. They contain such information as: traffic control guidance, towing equipment options, definitions of incident levels, and hazmat requirements. Some guides may contain a little more information, such as specific actions to take when responding, managing, and clearing an incident. The guide should be developed for multi-agency use and is most beneficial when used in the field.

Incident Response Teams

An incident response team is an interagency team specifically focused on incident management and clearance. These teams become specialized in incident management and can significantly reduce the time required to clear an incident scene. Members are cross-trained and on-call for major incidents. Incident response vehicles are usually positioned around the area where they are required to respond.

Interoperable and Improved Communications

Communications is a big issue in just about every area of the country. Communicating the appropriate information to the appropriate agency or agencies is essential for effective incident management. Interoperable communication systems are key to good communication as well.

Liability Protection

Many areas have policies or legislation in place that establishes liability protection for agencies that carry out duties as directed by the incident commander at the scene of an incident. Towing companies are concerned about liability associated with damages to vehicles or cargo. These policies or legislation may provide complete liability protection or may institute a liability “cap”.

Local Incident Management Groups

Local incident management groups help to promote incident management initiatives in local areas. These are also very effective groups to encourage interagency interaction and

sharing of information. Local incident management groups typically consist of: state police, local law enforcement, state and county departments of transportation, fire departments, emergency medical services, state and county environmental control agencies, and the towing and recovery industry. These groups are often developed in large urban areas or along important corridors.

Positive Traffic Control

In recent years, the Manual on Uniform Traffic Control Devices (MUTCD) has established guidelines that state an incident should be treated as an emergency work zone with regard to traffic control. As such, there are specific guidelines that should be followed regarding the control of traffic at the scene of a highway incident. Since fire personnel often have to temporarily direct traffic, they need special training in these guidelines. It may be helpful to develop an MUTCD compliance guide for responders in the field. Responders also need access to traffic control equipment and need to have high visibility traffic control apparel. Designating a traffic manager for each incident also has a positive influence on traffic control. When one person has traffic control as their primary function, more is done and the situation is handled more effectively.

Post-Incident Debriefings

Post-incident debriefings allow responders to sit down and discuss their actions after a major incident. This allows all the agencies involved to identify things that went well and things that need to be improved. It is best to establish criteria for when post-incident debriefings should be held. For instance, it may be that debriefings are needed when interstates and major highways are closed for 3 hours or more. These meetings need to be conducted shortly after the incident, so the details of the incident are still fresh on the responders' minds.

Promotion of the Incident Command System

Better understanding and application of the ICS is needed throughout the country. Incident scenes that are managed well make use of ICS. A command post should be established where responders can check in and receive and contribute information regarding the incident. When minimum qualifications are established for the incident commander, it is more likely that the scene will be managed in the proper way. The unified command system should be utilized and an information officer should be designated for the incident. A simplified ICS manual may be useful in helping responders implement this method.

Public Information Campaign

A public information campaign is essential in informing motorists of key highway incident management initiatives and getting their cooperation. Public outreach should make use of current driver education programs and public relations brochures or publications (such as the state highway map). Some areas have disseminated information with cell phone bills or insurance information. Highway signs or billboards may also be an effective way to communicate information, such as quick clearance or move-over laws, to the public. A public information campaign should also make use of the media (such as newspaper, radio, and

television). A press conference to “unveil” the incident management program may also be effective.

Quick Clearance and Vehicle Removal Laws

Many states have implemented a quick clearance law or policy for the expedited removal of vehicles from the roadway. These laws take different forms, but their basic function is to get motorists to move their vehicle from the roadway after an incident when their vehicle is moveable. In conjunction, it is also helpful to have the incident call-takers provide guidance to drivers to remove their vehicles from the lanes of travel. Law enforcement officers should also direct drivers to move their vehicles from the lanes of travel when possible. Some laws also address the need to quickly remove vehicles that have been abandoned on the roadside. Quick clearance of non-hazardous cargo and rolled-over trucks is also addressed by some laws. Some states have “authority removal” laws that allow designated responders to move damaged or disabled vehicles without the consent of the driver.

Resource Sharing

Resources should be shared among all responding agencies. By developing a resource list for local areas, agencies can call on equipment that is needed regardless of who owns it. A mutual aid agreement can be helpful to promote sharing of resources. In addition to equipment, CCTV feeds should be shared with responding agencies to help them better respond to incidents.

Road Weather Information Systems

The ability to identify potentially hazardous conditions due to the weather is a critical piece in limiting and possibly preventing highway incidents. Road weather information needs to be collected, analyzed, and provided to the motorists.

Staging Areas

Staging of equipment allows for the availability of the equipment without taking up space on the scene. Often space is very valuable on scene and should not be cluttered by equipment that is not needed until a later time.

Strategic Planning

A strategic plan can raise awareness and help provide direction for improving incident management. A plan is critical to the development of an incident management program and should identify realistic goals. It should be a multi-agency, multi-year plan. Performance measures should be addressed in order to measure the progress made after implementation of the plan.

Task Force Group

An incident management task force may be established to provide direction and support for an incident management program. This is usually a statewide, interagency group that has

close ties to the local incident management teams. The task force is usually made up of management-level personnel from state agencies and deals with administrative tasks.

Timely and Accurate Motorist Information

One of the keys to improved highway incident management is providing timely and accurate information to motorists. Some information needs to be timely so that the motorists can make decisions on whether to delay their trip or take another route. Other information is not as time sensitive, but still needs to be readily available to the public. The most popular methods of dissemination include VMS and HAR (for timely information) and the internet. 5-1-1 is also becoming a very popular method of obtaining traffic information by motorists. Another key to providing motorists information is wide dissemination in the event of a major incident. Sometimes other states will need to be notified in the event of a lengthy closure. It is also essential to improve agencies' ties with the media. The media can be a very effective partner in getting traveler information to the public.

Towing Reform

Many towing regulations are old and need to be updated. Rotation lists for towing equipment should be updated to reflect the new types of equipment that are available. Towing companies that have specialized types of equipment should be on a separate list so that a company that is capable of doing the job is called out the first time. It is also beneficial if towing companies are paid by the job, not the hour. Some places have even established towing incentive contracts for certain roadways or certain segments of roadways. Some of these contracts establish an agreement with a towing company or group of towing companies that require they patrol these roadways. They have a certain amount of time to clear the roadway of the incident once they are notified. In these areas where the contracts are established, other towing companies are prohibited from responding and towing vehicles.

Traffic Management Centers

Many states have established TMCs or transportation operations centers (TOC) to aid in managing highway incidents. These centers are typically used to monitor the roadway and inform motorists about travel conditions. They may also be used for signal timing or other traffic management or incident management needs.

Update of Medical Examiner Laws / Policies

To reduce delay, some areas have policies or laws that allow responders (other than medical examiners) to remove bodies at the scene of an incident. The bodies are moved to a facility where they can be pronounced dead, instead of being left at the scene of the incident until the medical examiner arrives.

Vehicle Parking Plan

Emergency response vehicles should be parked at the scene in order to protect the scene and provide access to other responding agencies. Many areas have developed multi-agency parking plans to ensure the effective placement of emergency response vehicles.

5.0 THE FUTURE OF HIGHWAY INCIDENT MANAGEMENT IN KENTUCKY

This section of the report represents the actual strategic plan for highway incident management in Kentucky. The plan consists of a mission statement, four goals, 16 objectives, and 49 action strategies. These action strategies are listed at the end of this section and are arranged by priority and recommended time frame for implementation.

5.1 Mission Statement

The mission of the Kentucky Transportation Cabinet, with regard to incident management, is to improve safety and reduce traveler delay by implementing an effective, multi-agency incident management program.

5.2 Goals

Four basic goals have been identified as the focus of Kentucky's Highway Incident Management Strategic Plan. These goals reflect long-term, system-level aspirations and are based on the input of Kentucky's stakeholders and other national, state, and regional plans.

Table 3. Strategic Plan Goals

Goals of Kentucky's Highway Incident Management Strategic Plan	
G1.	Improve Safety of Responders, Highway Workers, and Motorists
G2.	Reduce Traffic Delay
G3.	Improve Motorist Awareness
G4.	Improve Responder and Highway Worker Preparedness

5.3 Objectives

Sixteen objectives have been identified. Each of these objectives can be related to at least one goal. The objectives are intended to be measurable, although some are not easily measured. The objectives, along with their corresponding goals and performance measures, are summarized in the table below.

Table 4. Strategic Plan Objectives

Objectives		Related to Goal(s)	Possible Performance Measures
O1.	To improve safety of motorists and workers during construction and maintenance activities	G1	Number of injuries and fatalities in work zones or during maintenance activities
O2.	To reduce the number of secondary crashes	G1, G2	Number of secondary crashes
O3.	To increase the knowledge of motorists regarding the proper response to an incident	G1, G2	Driver opinion survey
O4.	To enhance training of responding agencies	G1, G2, G4	Changes to training; possible survey of responders
O5.	To reduce the number of responders injured or killed while working at an incident scene	G1	Number of responders injured or killed while working at an incident scene
O6.	To reduce delays for motorists during construction and maintenance activities	G2	Hours of traveler delay in work zones or during maintenance activities
O7.	To speed the clearing of incidents and reopening of the roadway	G2	Time to reopen the roadway for incidents
O8.	To improve planning and preparation for incidents	G4	Monitor frequency of training on the subjects
O9.	To detect incidents and assess what is needed on the scene more quickly	G2	Time to detect incidents
O10.	To speed the response and cleanup of hazardous material incidents	G2	Time to respond and clear hazardous material incidents
O11.	To reduce the response time of agencies to the scene of an incident	G2	Time to respond to the scene of an incident
O12.	To improve the communication and coordination of all responding agencies	G2	Monitor frequency of training on the subjects
O13.	To make more efficient and effective use of resources	G2	Conduct after action reviews on selected cases
O14.	To improve the quality and quantity of information available to the public	G3	Amount and type of information available to the public; motorists survey
O15.	To improve the flow of information between responding agencies (on the scene) and the statewide TOC or local traffic management center	G3	Record of incident information flowing to TOC or local TMC
O16.	To improve information dissemination	G3	Record of incident information passed to 511 system, VMS displays, HAR, media, etc.

5.4 Action Strategies

The following items are action strategies that are recommended for implementation. Each strategy is summarized and includes information on the specific steps necessary to implement the strategy, along with potential obstacles. Each strategy is also related to one or more specific objectives.

A1. Develop Emergency Vehicle Lighting Guidelines and Encourage Responding Agencies to Adopt their Own Policy

Responders are at risk as they manage and clear an incident scene. To reduce the number of responders that are injured or killed while working at an incident, they need to be more visible to passing motorists. Care should be taken to provide adequate lighting for the scene without blinding motorists. Many agencies have developed emergency vehicle lighting plans that attempt to optimize the use of emergency lights. Motorists need to see that there is an incident, but should not be distracted by all of the flashing lights.

Specific Steps to Implementation

- A1.1 Develop guidelines for an emergency vehicle lighting plan and distribute to responders
- A1.2 Investigate ways to obtain statewide acceptance of these guidelines
- A1.3 Implement a statewide policy or encourage local incident management teams to work with their local responding agencies to adopt their own policies on emergency vehicle lighting

Potential Obstacles to Implementation

Requires policy change or development for responder agencies

Objectives Met Through the Implementation of this Strategy

O2, O4, O5

A2. Investigate the Use of Portable Barrier Curtains and Implement on a Pilot Project Basis

Some agencies in other states are using barrier curtains to reduce the distraction of motorists during their management and clearance of a major incident. These portable “curtains” are strategically placed to block the view of passing motorists. The use of barrier curtains should be investigated and implemented on a pilot project basis. An evaluation should be conducted to determine the benefit received from using the barrier curtains. Additional implementation would be based upon the findings of the evaluation.

Specific Steps to Implementation

- A2.1 Investigate the use of portable barrier curtains in other areas
- A2.2 Purchase portable barriers curtains and implement on a pilot project basis
- A2.3 Evaluate the benefits of using the barrier curtains

Potential Obstacles to Implementation

Difficulty of use

Objectives Met Through the Implementation of this Strategy

O1, O2, O5, O6

A3. Better Understand the Problem with Secondary Crashes in Kentucky and Identify Means to Address these Problems

The problem of secondary crashes is not well defined for Kentucky. It is estimated nationally, however, that about 20% of all crashes are secondary in nature. In addition, it is not uncommon for the secondary crash to be more severe than the original crash. The secondary crash problem in Kentucky should be better understood and steps should be taken to reduce the number and severity of secondary crashes.

Specific Steps to Implementation

- A3.1 Identify the problem associated with secondary crashes including how many occur, the circumstances under which they occur, and how serious they are
- A3.2 Identify operations, technology, and enforcement solutions to address these specific problems
- A3.3 Implement solutions to reduce the number of secondary crashes

Potential Obstacles to Implementation

Collision Reporting Analysis for Safer Highways (CRASH) Form change required to identify secondary crashes

Objectives Met Through the Implementation of this Strategy

O2

A4. Improve the Warning System for the End of the Traffic Queue at Major Incidents and During Construction or Maintenance Activities

There are two areas of major concern when working an incident scene: the scene itself and the end of the traffic queue. The end of the traffic queue, where traffic is unexpectedly coming to a complete stop, is often forgotten. Plus, this problem is complicated by the fact that the location of the end of the queue is constantly changing.

To address this issue, KYTC may want to consider equipping their state highway trucks with citizens' band (CB) radios. This would allow KYTC to broadcast a message to anyone using a CB concerning stopped traffic. Another option is to equip law enforcement officers with CB radios. They can broadcast a message to CB users while using their lights to get the attention of other motorists. In both situations, the KYTC or law enforcement vehicle would need to move to stay at the end of the traffic queue.

Since tractor-trailers are often involved in the most serious secondary crashes, this practice may prevent or at least reduce the seriousness of some crashes. In addition, the drivers of the tractor-trailers could be encouraged to slow down early and make use of their hazard lights to inform other motorists of an impending situation. This practice could be implemented on a pilot project basis. The benefits should be identified and recommendations should be made regarding further implementation.

Specific Steps to Implementation

- A4.1 Identify one area and implement the use of CB radios in KYTC highway vehicles and/or law enforcement vehicles
- A4.2 Evaluate the benefits of using CB radios in KYTC highway vehicles and/or law enforcement vehicles

Potential Obstacles to Implementation

None identified

Objectives Met Through the Implementation of this Strategy

O1, O2

A5. Identify and Address the Delays and Safety Problems Associated with Work Zones and Maintenance Activities

Work zone and highway maintenance activities are considered incidents because of the negative impact they have on traffic flow. Proper planning for managing construction and maintenance activities is critical and can reduce delays and improve safety for motorists. KYTC needs a set of policies for reducing delay and improving safety in work zones and during maintenance activities. District personnel and KYTC's construction contractors should be trained in these policies in order to effect a change. KYTC should use construction contracts and conduct maintenance activities that make use of off-peak or full roadway closures to reduce impacts on traffic. In addition, incentives and disincentives should be used to keep contractors on schedule. Lane rental agreements may also be an effective way to minimize roadway closures. In some critical areas, KYTC may need to establish agreements with towing companies to clear incidents from work zones as quickly as possible.

Law enforcement presence in work zones can help reduce the speeds of motorists and improve safety for everyone. Their presence should be utilized whenever possible. For long-term construction projects, photo speed enforcement should be considered as an alternative to having law enforcement on site.

Specific Steps to Implementation

- A5.1 Identify the current delays and safety problems associated with work zones and maintenance activities
- A5.2 Develop a set of policies for reducing delay and improving safety in work zones and during maintenance activities
- A5.3 Train KYTC District personnel and contractors in the policies and institute changes
- A5.4 Evaluate the benefits after the changes in policy

Potential Obstacles to Implementation

- Requires policy changes
- Requires additional training for large number of personnel

Objectives Met Through the Implementation of this Strategy

O1, O2, O6

A6. Initiate a Public Information Campaign for Motorists on the Proper Response to an Incident

A public information campaign should be used to inform the motorists of incident management initiatives such as quick clearance legislation, move-over laws, crash investigation sites, 511, etc. KYTC should make use of current driver education and informational brochures, such as the Kentucky Drivers' Manual and Kentucky's official state highway map, to distribute this information. Incident management information should be provided to Drive Smart for distribution as well. Highway signs and billboards are also an effective way to communicate to motorists. In addition, an incident-related website should be established for public education and traveler information. Public service announcements pertaining to incident management should be issued on radio and television.

Specific Steps to Implementation

- A6.1 Develop a public information campaign to be run on radio and television
- A6.2 Incorporate "How to Respond to an Incident" in current driver information publications (maps, driver education information, etc.) and license test
- A6.3 Distribute information on "How to Respond to an Incident" via the Drive Smart program, KYTC's web page, etc.
- A6.4 Install additional roadway signage to promote incident management initiatives
- A6.5 Establish a website for incident information and public education

Potential Obstacles to Implementation

Change to Kentucky Drivers' Manual
Change to Kentucky Drivers' License Test

Objectives Met Through the Implementation of this Strategy

O1, O2, O3, O5

A7. Develop and Implement Alternate Route Plans for All Critical Roadways

Alternate routes provide motorists with the ability to move around the incident and continue their trip. Although there can be significant problems associated with implementing an alternate route, it is usually better to divert traffic than to leave motorists stranded due to the incident. Kentucky already has alternate route plans for all sections of its interstates and parkways. These plans need to be reviewed and updated on a regular basis to ensure the routes remain adequate for the traffic. Other critical routes should be identified based upon traffic volume and/or the number of incidents. These routes should also have designated alternate routes to be used in the event of a major incident. Design and/or traffic operations changes may be necessary to ensure the alternate routes can accommodate all types of traffic. It may also be necessary to adjust signal timing plans to accommodate the additional traffic.

Detour routes often require significant manpower to institute and maintain. Usually, law enforcement officers are assigned to mark the route in order to prevent motorists from becoming lost along the way. Trailblazing detour signs should be installed on the most frequently used alternate routes. These highway signs, when flipped down to “detour mode”, serve to designate the route without the excessive use of manpower. Flashers installed on the signs may make them more visible to passing motorists.

Specific Steps to Implementation

- A7.1 Identify routes (other than interstates and parkways) that need alternate routes due to the number of incidents and/or the volume of traffic
- A7.2 Develop alternate routes for these “secondary” roadways
- A7.3 Review and update the current alternate routes for all interstates and parkways
- A7.4 Make improvements to the routes as necessary in order to handle all types of traffic and to help motorists find their way
- A7.5 Install trailblazing detour signs on key alternate routes
- A7.6 Disseminate detour information to appropriate responders and media
- A7.7 Educate motorists on alternate routes and trailblazing signs

Potential Obstacles to Implementation

Road-worthiness of flip-down detour signs
Multi-agency effort

Objectives Met Through the Implementation of this Strategy

O1, O2, O6, O8, O13, O14

A8. Implement Emergency Response Vehicle Parking Plans

Emergency response vehicle parking plans allow for a more organized scene and provide easier access and departure for responding agencies. These plans may also address ways to protect the scene using responder vehicles. A guideline for this should be distributed to each local incident management team. Each team should adopt their own policy on emergency response vehicle parking.

Specific Steps to Implementation

- A8.1 Develop guidelines for emergency response vehicle parking and distribute to local incident management teams
- A8.2 Encourage local incident management teams to adopt their own policy on emergency response vehicle parking at the scene of an incident

Potential Obstacles to Implementation

Multi-agency effort
Change in policy

Objectives Met Through the Implementation of this Strategy

O5, O7, O8, O12

A9. Develop an Open Roads Policy for Interstates and Parkways

Many areas have established an open roads policy in order to keep roadway closures at a minimum. Kentucky currently has no official policy regarding the closing and opening of the roadway by emergency response personnel for incidents. (The Secretary of Transportation is authorized to close the roadway for emergencies.) Fire, law enforcement, and KYTC need to work together to develop a statewide policy for opening the roadway. One part of the policy would include a timeline for reopening the roadway based upon the type of incident that occurred. Local incident management teams could work with their local responders to adopt this policy.

Specific Steps to Implementation

- A9.1 Work with fire, law enforcement, and KYTC to develop an open roads policy for Kentucky
- A9.2 Work through the local incident management teams to get responding agencies to adopt this policy

Potential Obstacles to Implementation

- Multi-agency effort
- Policy change
- Concerns about the safety of responders

Objectives Met Through the Implementation of this Strategy

O2, O7, O8

A10. Implement a Statewide Policy Concerning the Cleanup of Small Fuel Spills

Hazardous material spills require more time and effort than most incidents because of the extra precautions and procedures that are taken for cleanup. However, many HAZMAT spills are actually just small fuel spills. This type of hazardous material could be handled differently in order to open the roadway more quickly. Kentucky needs to investigate the requirements for small fuel spills and then evaluate what other states or regions are doing to quickly handle them. For instance, it may be possible to make use of contractors with short turnaround times for small spills. It may also be necessary to implement a statewide policy for addressing this issue and train responders appropriately.

Specific Steps to Implementation

- A10.1 Identify the requirements regarding the cleanup of small fuel spills
- A10.2 Identify best practices of other states and regions with regard to small fuel spills
- A10.3 Develop a policy for addressing the small fuel spill problem and establish the necessary agreements to implement the changes
- A10.4 Provide training to responders

Potential Obstacles to Implementation

- Multi-agency effort
- Policy change

Objectives Met Through the Implementation of this Strategy

O7, O8, O10

A11. Develop and Implement Hazardous Material Ordinances for Every County

It is not unusual for hazardous material carriers or owners to use their own cleanup company when their load has spilled. Many times this creates a problem since their cleanup company may be hours away from the incident. In order to speed up the cleanup of HAZMAT spills, every county needs to have a signed HAZMAT ordinance and understand how to use it. This ordinance would allow local government agencies to call a HAZMAT cleanup contractor of their choice in the interest of safety. The local agencies would be entitled to receive payment from the carrier or owner of the material for the cleanup.

Specific Steps to Implementation

- A11.1 Provide information to each county regarding the significance of a HAZMAT ordinance and how it can be used
- A11.2 Identify the counties that do not have a HAZMAT ordinance
- A11.3 Contact and provide assistance to counties who need to develop their HAZMAT ordinance
- A11.4 Make other responders aware of the HAZMAT ordinance and how it can be used

Potential Obstacles to Implementation

Passage of Ordinance

Objectives Met Through the Implementation of this Strategy

O4, O7, O8, O10

A12. Implement Quick Clearance and Vehicle Removal Laws that Include Clauses for Limiting Liability to Responders

Quick clearance and vehicle removal laws improve safety for motorists by improving traffic flow and getting people out of the lanes of travel as quickly as possible. Quick clearance may be in the form of a policy, but is usually more successful when legislated. These laws require motorists to move their vehicles when it is within their ability to do so. They also limit the liability of responding agencies who are acting under the direction of the incident commander to remove vehicles or cargo in the interest of safety. Vehicle removal laws pertain to abandoned vehicles and establish legislation for the removal of vehicles within a certain amount of time of being identified and marked as abandoned.

Specific Steps to Implementation

- A12.1 Identify the benefits of quick clearance and vehicle removal laws in other states
- A12.2 Formulate a policy or potential legislation for implementation
- A12.3 Implement a quick clearance policy or present quick clearance information to the General Assembly and recommend passage of the legislation

Potential Obstacles to Implementation

- Legislative or policy change needed
- Resistance from insurance companies

Objectives Met Through the Implementation of this Strategy

O2, O7

A13. Update the CRASH Reporting Form to Encourage Quick Clearance

Kentucky's CRASH reporting form is not set up to promote quick clearance. Ideally, information that is needed before vehicles are moved should be placed in one section of the form. Once this information is recorded, the vehicles and debris could be moved to another location and the report finished.

Specific Steps to Implementation

A13.1 Identify the information that needs to be recorded prior to reopening the roadway

A13.2 Work to implement quick clearance changes to the CRASH form

Potential Obstacles to Implementation

Change required for CRASH form

Objectives Met Through the Implementation of this Strategy

O7

A14. Implement Push Bumpers for Responder Vehicles

Often minor crashes or stalled motorists block lanes of traffic and cause traffic flow problems and safety hazards for other motorists. By equipping responder vehicles with push bumpers, vehicles can be removed from the lanes of traffic with very little effort. Some agencies in Kentucky currently use push bumpers to remove vehicles from the lanes of travel. The benefits received through the use of this equipment should be documented and presented to other agencies in Kentucky. Using this information, agencies should be encouraged to deploy push bumpers on their own vehicles.

Specific Steps to Implementation

- A14.1 Identify agencies that currently use push bumpers and document the benefits received
- A14.2 Summarize information on push bumpers for presentation to local incident management teams and inclusion in training programs
- A14.3 Encourage agencies to implement push bumpers on their vehicles

Potential Obstacles to Implementation

Liability concerns

Objectives Met Through the Implementation of this Strategy

O2, O7

A15. Identify Crash Investigation Sites and Educate Responders in the Benefits of Moving the Incident off the Roadway

Crash investigation sites allow responders to move an incident from the roadway to a safer location. Specific crash investigation sites may be built or certain areas (such as parking lots) may be designated for this purpose. The areas should be identified (or built, when necessary) in locations where there are high volumes of traffic and/or high incident rates. Responders will need to be informed of these locations and educated on their use.

Specific Steps to Implementation

- A15.1 Identify possible locations (off the roadway) for crash investigation in high incident areas
- A15.2 Educate responders in the benefits of moving incidents off the roadway and identify possible areas that could be used for crash investigation

Potential Obstacles to Implementation

- Multi-agency effort
- Lack of adequate space for sites
- Policy changes may be required

Objectives Met Through the Implementation of this Strategy

O2, O4, O5, O7, O8

A16. Perform a Comparative Analysis of Crash Reconstruction Equipment and Make Recommendations for Implementation

Frequently, crash sites need to be investigated thoroughly to determine exactly what occurred. Investigating the crash can be a time consuming task that often frustrates those delayed in traffic and can be a safety hazard for motorists. Currently, most law enforcement agencies in Kentucky use either a tape measure or total station surveying equipment to record and document the crash scene measurements. Photogrammetry is a new method of reconstruction that appears to take less time on scene. A comparative analysis should be conducted of all the primary reconstruction methods and recommendations should be made regarding implementation of these methods.

Specific Steps to Implementation

- A16.1 Perform a comparative analysis of total station, photogrammetry, and GPS equipment for crash reconstruction
- A16.2 Make recommendations on the use of crash reconstruction equipment to help clear the scene of an incident more quickly
- A16.3 Incorporate the findings on crash reconstruction equipment into the basic training for law enforcement and the HCSM course

Potential Obstacles to Implementation

Reluctance of law enforcement community

Objectives Met Through the Implementation of this Strategy

O7

A17. Implement an Incident Response Team as a Pilot Project in a High Incident Area or on a Critical Route

Some areas use incident response teams for major incidents. These interdisciplinary teams have specialized training in incident management and can often reduce the time required to clear a major incident. A high incident area or critical route should be identified to implement an incident response team as a pilot project. Further implementation should be based on an evaluation identifying the benefits received from the incident response team.

Specific Steps to Implementation

- A17.1 Identify a high incident area or critical route for implementation of an incident response team
- A17.2 Identify and train a group of responders to be an incident response team
- A17.3 Use the incident response team at a few major incidents
- A17.4 Evaluate the benefits of using the incident response team and make recommendations on further implementation

Potential Obstacles to Implementation

Multi-agency effort

Objectives Met Through the Implementation of this Strategy

O7, O8, O12

A18. Expand the Freeway Service Patrols in Urban Areas and Consider Implementation on Some Rural Corridors

Freeway service patrols help to remove vehicles involved in minor incidents from the roadway and assist stranded motorists. These programs are reported to be extremely popular with the public everywhere they are implemented. Guidelines, based upon the number of incidents and the volume of traffic, should be established to determine where FSPs should be implemented or expanded.

Specific Steps to Implementation

A18.1 Establish guidelines for the use of FSPs and identify areas or corridors that are in need of them

A18.2 Implement FSPs

Potential Obstacles to Implementation

None identified

Objectives Met Through the Implementation of this Strategy

O2, O7, O9, O11

A19. Implement a Pilot Project That Makes Use of an On-Scene Traffic Manager at all Major Incidents

Often the duty of traffic management gets lost in all the efforts undertaken at the scene of an incident. By designating an on-scene traffic manager, the movement of traffic becomes a more critical issue. The result is better traffic flow, fewer delays, and improved safety for motorists. One location should be identified and a pilot project should be conducted making use of an on-scene traffic manager. This method of traffic management should be evaluated and recommendations made for further implementation.

Specific Steps to Implementation

- A19.1 Identify a location for a pilot project concerning the use of a traffic manager
- A19.2 Identify the duties of an on-scene traffic manager and the type of incident that might require the use of an on-scene traffic manager
- A19.3 Work with the local incident management team in the identified area to begin implementing a traffic manager at all major incidents
- A19.4 Evaluate the benefits of using a traffic manager and make recommendations for further implementation
- A19.5 Provide guidelines for involvement of appropriate KYTC personnel

Potential Obstacles to Implementation

- Multi-agency effort
- Convincing responders to change the way they do things

Objectives Met Through the Implementation of this Strategy

O2, O4, O5, O7

A20. Implement a Towing Incentive Program as a Pilot Project and Study the Benefits

Some areas have implemented towing incentive programs to reduce the response time by towing companies and clear the roadway of incidents more quickly. There are several actions that may need to be taken to improve towing response times, including changes to towing regulations and contracts. An investigation of the best practices regarding towing response times should be conducted. These findings should be used to conduct a pilot project for one area or critical corridor in the state. The project should be evaluated and the findings used to determine further implementation.

Specific Steps to Implementation

- A20.1 Identify an urban area or corridor that needs improved response time by towing
- A20.2 Identify best practices in other states and regions with regard to towing response times
- A20.3 Develop a towing incentive program for the area or corridor identified
- A20.4 Implement the towing incentive program as a pilot project
- A20.5 Evaluate the benefits of the towing incentive program

Potential Obstacles to Implementation

Possible policy or legislative change required

Objectives Met Through the Implementation of this Strategy

O1, O2, O6, O7, O11

A21. Change in Policy or Legislation Regarding the Removal of Deceased Victims

In many areas, deceased victims are left in the roadway until claimed by the medical examiner or coroner. This is unfortunate for the victim's family and can be a source of distraction to passing motorists. In addition, this practice leads to unnecessary delay in reopening the roadway. Many areas have changed their policy or legislation to prevent these delays. Other state and local policies should be reviewed in order to identify the best practices with regard to removal of deceased victims. An agreement should be reached with state and local medical examiners to reduce the time taken to remove a deceased victim from the scene of an incident.

Specific Steps to Implementation

- A21.1 Identify best practices regarding the removal of deceased victims from the roadway
- A21.2 Work with state and local medical examiners to develop a policy (or legislation) regarding the removal of deceased victims from the roadway
- A21.3 Present this information to Kentucky's General Assembly and recommend passage or work with medical examiners to institute a policy change

Potential Obstacles to Implementation

Policy or Legislative Change

Objectives Met Through the Implementation of this Strategy

O7, O8

A22. Implement a Highway Incident Reporting Hotline for Motorists

An influx of calls to report a highway incident can overwhelm 911 call-takers. A separate phone line to report incidents would be beneficial. The 511 system could be used to not only receive incident information, but to report incident information. The first option on the system could to receive or report incident information. If a caller wishes to report an incident, the call should be transferred to an operator.

Specific Steps to Implementation

A22.1 Setup the 511 system to take incident reports

A22.2 Establish a system of 511 call-takers in the TOC

A22.3 Implement changes to the 511 system

Potential Obstacles to Implementation

Additional staffing and hardware may be required
Prank calls create a verification problem

Objectives Met Through the Implementation of this Strategy

O9

A23. Implement a Pilot Project Using Automatic Cargo Identification Technology on Hazardous Material Vehicles

Automatic cargo identification can be used to quickly and accurately identify the material on a commercial vehicle. In the event of an incident, quick and accurate identification means a safer working environment for responders and a quicker cleanup. The technologies that are available for automatic cargo identification need to be investigated. Also, there are many federal requirements regarding the transport of hazardous material. These requirements need to be investigated to determine how an automatic cargo identification system could be implemented. A small pilot project should be implemented to test the use of automatic cargo identification equipment. The benefits should be evaluated and recommendations made for further implementation.

Specific Steps to Implementation

- A23.1 Investigate the technologies available for automatic cargo identification
- A23.2 Investigate the requirements (federal and state) that would need to be in place (or changed) to implement an automatic cargo identification system
- A23.3 Implement a small pilot project displaying automatic cargo identification
- A23.4 Evaluate the benefits of using automatic cargo identification

Potential Obstacles to Implementation

Possible resistance from trucking industry

Objectives Met Through the Implementation of this Strategy

O9, O10

A24. Implement Reference and Ramp Markers in High Incident Areas or on Critical Routes

One of the biggest problems with motorists reporting incidents is that many can not accurately report their location to the call-taker. Reference and ramp markers can help to remedy this problem. Reference markers are a detailed form of mile markers that are spaced anywhere from 1/10 of a mile to ½ of a mile apart, depending on the region. These signs also include information on the route number and direction of travel. Ramp markers identify the entrance or exit ramp of travel. These types of reference and ramp markers should be implemented in Kentucky in high incident areas and on critical routes.

Specific Steps to Implementation

A24.1 Identify critical areas or routes that need detailed reference and ramp markers

A24.2 Implement reference and ramp markers where needed

Potential Obstacles to Implementation

None identified

Objectives Met Through the Implementation of this Strategy

O9, O11

A25. Implement Barrier Openings or Emergency Crossovers where Needed

Lack of adequate access to an incident on parkways and interstates can be a serious problem for responders. Response times are increased when the scene is difficult to access. It may be necessary to locate barrier openings or emergency crossovers on parkways and interstates if there are long distances between exits.

Specific Steps to Implementation

A25.1 Evaluate best practices regarding barrier openings and emergency crossovers, including how to provide limited access

A25.2 Identify locations where barrier openings or emergency crossovers are needed

A25.3 Implement barrier openings or emergency crossovers as necessary

Potential Obstacles to Implementation

Limitations with some terrain

Safety concerns

Objectives Met Through the Implementation of this Strategy

O11

A26. Evaluate Automatic Vehicle Location and Computer Aided Dispatch for Response Vehicles

AVL and CAD systems can help dispatchers route the closest emergency vehicle to the scene of an incident. The intent is to reduce the time taken to respond to the incident while making the most efficient use of resources. One responding agency already using this technology should be identified for this effort. The AVL and CAD equipment should be evaluated to determine the benefits received by the responding agency and motorists. Further implementation should be based upon the findings of the evaluation.

Specific Steps to Implementation

- A26.1 Identify one agency using AVL and CAD for emergency response vehicles for an evaluation
- A26.2 Evaluate the benefits for agencies that have vehicles equipped with AVL and CAD
- A26.3 Make recommendations for further implementation of AVL and CAD

Potential Obstacles to Implementation

- Privacy issues
- Lack of communications infrastructure to support AVL/CAD

Objectives Met Through the Implementation of this Strategy

O11, O13

A27. Identify Best Practices with Regard to Communications Interoperability and Implement Changes

Improved communication among responding agencies is a critical way to improve the management and clearance of an incident scene. Unfortunately, there are many barriers to effective communication among responding agencies. For instance, most agencies have different radio systems and use their own language or “lingo” that might not be understandable to other agencies. To address these issues, the best practices for improved interagency communication should be identified. These findings should be distributed to responders and they should be encouraged to implement changes to improve communication among responding agencies. Local agreements may need to be established to solidify these changes.

Specific Steps to Implementation

- A27.1 Identify best practices from other states and regions with regard to communications interoperability
- A27.2 Develop and distribute information to responding agencies
- A27.3 Work with incident management teams to develop local agreements concerning communications interoperability

Potential Obstacles to Implementation

Multi-agency effort

Objectives Met Through the Implementation of this Strategy

O12

A28. Make Use of Equipment Storage Sites as a Pilot Project in One Critical Area

Equipment storage sites are used to provide easier access to resources in critical areas. Equipment typically stored may include traffic cones or barrels, portable message signs, and cleanup materials. A test location should be identified and an equipment storage site established. The benefits of using the storage site should be documented and recommendations made for further implementation.

Specific Steps to Implementation

A28.1 Identify an area for a pilot project for equipment storage sites

A28.2 Implement the pilot project for equipment storage sites

A28.3 Evaluate the benefits of using equipment storage sites and make recommendations for further implementation

Potential Obstacles to Implementation

Multi-agency effort

Lack of adequate space

Objectives Met Through the Implementation of this Strategy

O7, O8, O13

A29. Provide 24-Hour Incident Response by All KYTC District Offices

Although KYTC does respond to an incident whenever called upon, personnel may not respond as quickly as needed. KYTC needs to evaluate the current response time by all KYTC district office personnel and establish a standard for responding to incidents 24-hours a day. A policy may be needed to establish the appropriate response times by KYTC.

Specific Steps to Implementation

- A29.1 Evaluate the current response times by all KYTC district offices
- A29.2 Develop a policy for incident management response by the KYTC
- A29.3 Evaluate KYTC's response times after implementation of the policy

Potential Obstacles to Implementation

- Policy change
- Insufficient resources

Objectives Met Through the Implementation of this Strategy

O7, O11

A30. Enhance the Capability of Current Traffic Management Centers and Implement Other Centers, As Needed

Traffic management centers play a critical role in the detection and verification of incidents. Quick detection and verification allow for a quick, appropriate response by agencies. Currently there are four regional TMCs and a statewide TOC. The four regional TMCs are located in Lexington, Louisville, Middlesboro, and Northern Kentucky / Cincinnati. These TMCs (or the TOC) may need to expand their capabilities or their service areas in order to improve incident detection and verification. It is also possible that other small urban areas in the state may need their own traffic management centers.

Specific Steps to Implementation

A30.1 Identify the most critical needs of the regional TMC and statewide TOC

A30.2 Implement enhancements to the systems or establish new systems as needed

Potential Obstacles to Implementation

None identified

Objectives Met Through the Implementation of this Strategy

O9, O14, O15, O16

A31. Develop an Architecture for Sharing Incident Information among Responding Agencies, with the Statewide TOC, and (where applicable) with Local TMCs

When incident information is shared among responding agencies and also shared with the statewide TOC and the associated TMC, appropriate and timely information can be provided to motorists. Sharing appropriate information also leads to less confusion about the incident and quicker response times for agencies. The first step in sharing incident information is to identify what information is available from each agency and the associated traffic operations center. Next, it is important to identify what information is needed by each agency. For example, emergency response dispatchers may want to access video feeds from the traffic management centers in order to determine more precise information about an incident.

An architecture (or plan) should be established for sharing the appropriate incident information among agencies. Kentucky's Statewide ITS Architecture can be used as a starting point for this effort, but additional detail about the specific information (and when it needs to be distributed) should be identified. Agreements should be drafted and signed by participating agencies to solidify the sharing of information.

Specific Steps to Implementation

- A31.1 Identify what are the critical pieces of information, who can provide them, and who needs them
- A31.2 Develop an architecture for sharing incident information among the appropriate agencies
- A31.3 Work on the state level and with the local incident management teams to develop agreements among responding agencies and traffic management centers to share the appropriate information

Potential Obstacles to Implementation

- Multi-agency effort
- Possible change to the Condition Acquisition and Reporting System (CARS)

Objectives Met Through the Implementation of this Strategy

O6, O7, O8, O9, O10, O11, O12, O13, O14, O15, O16

A32. Identify and Address the Issues with Providing Timely Incident Information to the Public

Traveler information needs to be readily available to the public, either on demand or when an emergency warrants it. Depending on the situation, it can be very difficult to get timely information to motorists. This may be due to the lack of appropriate infrastructure, changes in motorists' behavior, or some other reason. In many parts of the state, there are areas without cell phone coverage. ITS technology is not as accessible in some of the rural regions. There is also a significant decline in the use of the radio in vehicles. All these challenges make it more difficult to provide timely information to the public. This problem should be studied, and appropriate recommendations should be developed and implemented. For example, a statewide radio channel and web site may be needed to provide incident information to motorists.

Specific Steps to Implementation

- A32.1 Identify the critical issues with providing timely information to the public
- A32.2 Implement improvements to address these critical issues

Potential Obstacles to Implementation

Isolated areas of the State

Objectives Met Through the Implementation of this Strategy

O14, O16

A33. Identify Critical or “Decision Point” Locations Where ITS Technology should be Located to Disseminate Incident Information

To provide incident information to motorists in an effective manner, “decision point” locations need to be identified. These “points” refer to places where motorists can receive incident information and still have time to take an alternate route or postpone their trip before becoming stranded in backed-up traffic. The key is to locate VMS or HAR in these places as a means to communicate with motorists.

Specific Steps to Implementation

A33.1 Identify high incident areas that also have good alternate routes

A33.2 Identify the “decision point” locations and the alternate routes for each of these areas

A33.3 Implement VMS and/or HAR in the “decision point” locations

Potential Obstacles to Implementation

Physical or jurisdictional barriers to installing equipment

Objectives Met Through the Implementation of this Strategy

O6, O13, O14, O16

A34. Partner with the Media for Incident Information Dissemination

The media can be very effective in getting incident information to the public. Therefore it is essential that relationships with the media be established prior to a major incident. For each major incident, a single PIO should be identified to communicate the appropriate information to the media. PIOs should be trained to provide information including: the location of the incident, how long the roadway will be closed or adversely affected, and information on detour routes (if applicable). Information should be updated at regular intervals.

Specific Steps to Implementation

- A34.1 Identify local media contacts for all local incident management teams and include them as part of the team
- A34.2 Designate a single PIO for each incident
- A34.3 Develop and provide training for the PIOs
- A34.4 Develop a dissemination plan

Potential Obstacles to Implementation

Multi-agency effort

Objectives Met Through the Implementation of this Strategy

O12, O13, O14, O16

A35. Identify the Current Problems with the 511 System and Implement Strategies for Improving the System

Although the 511 system has been very beneficial in disseminating incident information to the public, there are ways the service could be improved. To identify the improvements that are needed, an operator survey and user survey should be conducted. The operator survey should be conducted with agencies that operate the system and/or provide information to the system. It may be that some agencies are not entering or cannot enter the appropriate data into the system. Some agencies may have implemented changes that would make additional information available. The user survey should focus on the functionality of the system and the quality of the information received. The 511 system could also be utilized as an incident reporting hotline for motorists. The findings from these surveys can be used to enhance the current 511 system.

Specific Steps to Implementation

- A35.1 Conduct a user survey regarding the 511 system
- A35.2 Conduct an operator survey regarding the 511 system
- A35.3 Develop a strategy for making improvements to the 511 system and establish agreements with responding agencies as needed
- A35.4 Implement changes to the 511 system

Potential Obstacles to Implementation

Multi-agency effort

Objectives Met Through the Implementation of this Strategy

O9, O14, O15, O16

A36. Promote the Use of the National Incident Management System

The National Incident Management System (NIMS) is the national framework for interagency coordination and command for incident management. States are required to be compliant with NIMS by September 30, 2005. Unfortunately, many responders do not currently use or understand this system. Simple information on this system needs to be developed and disseminated to responding agencies. All responding personnel need to be trained in NIMS.

Specific Steps to Implementation

- A36.1 Develop simple informational brochures on NIMS and the importance of using it at the scene of an incident
- A36.2 Distribute and present information on NIMS to responding agencies
- A36.3 Require on-going training on NIMS by all responding personnel (paid and volunteer)

Potential Obstacles to Implementation

None identified

Objectives Met Through the Implementation of this Strategy

O4, O12

A37. Sponsor the National Highway Institute Course on Incident Management for Responders

The National Highway Institute (NHI) Course entitle, “Managing Traffic Incidents and Roadway Emergencies” addresses the institutional and technical aspects of the safe and efficient resolution of traffic incidents. The focus of the course is on developing interagency understanding and cooperation. This course should be offered to every local incident management team that has not already attended.

Specific Steps to Implementation

- A37.1 Identify local incident management teams that have not participated in the NHI course
- A37.2 Encourage the local incident managements that have not taken the NHI course to do so

Potential Obstacles to Implementation

None identified

Objectives Met Through the Implementation of this Strategy

O4, O8, O12

A38. Provide Local Interagency Incident Management Training for All Responding Agencies

Interagency training provides a good opportunity to bring responders together and help them understand the importance of a unified, coordinated effort when managing and clearing an incident scene. It is also a good opportunity for agencies to share information regarding personnel, procedures, and resources that might be helpful with the management and clearance processes. Kentucky already has a successful interagency incident management course called, “Highway Crash Site Management”. This course needs to be available to all responders throughout the state. To reach all the responders, it may be necessary to develop a train-the-trainer program for this course.

Specific Steps to Implementation

- A38.1 Provide the HCSM Course for all local incident management teams
- A38.2 Establish regional programs and trainers for the HCSM course
- A38.3 Make the HCSM workshop available to all responders

Potential Obstacles to Implementation

- Multi-agency effort
- Availability of trainers

Objectives Met Through the Implementation of this Strategy

- O4, O8, O12

A39. Develop a Course on Traffic Control for Emergency Response Personnel and Train Responders

Emergency responders, with the exception of law enforcement, get little or no training in traffic control but yet by nature of their job often have to perform such duties. The MUTCD establishes certain guidelines that need to be followed for the safety of the responders and motorists. Unfortunately, many responders are unaware of these guidelines. By developing a course on traffic control specifically for emergency responders, the safety of those responders working on-scene, as well as the traveling motorists near the scene, will be improved. This effort may include the development of a quick-reference handbook. It may also be beneficial to conduct a full-scale exercise using traffic control equipment.

Specific Steps to Implementation

- A39.1 Develop a course on traffic control for emergency response personnel
- A39.2 Provide the traffic control course for all local incident management teams
- A39.3 Incorporate this training into the basic training of emergency response personnel

Potential Obstacles to Implementation

- Change to basic training curriculum
- Conflicts with jurisdictional procedures

Objectives Met Through the Implementation of this Strategy

O2, O4, O5

A40. Enhance Training for Dispatchers

Call-takers or dispatchers often serve as the channel through which incident information flows from agency to agency. The job done by the call-taker or dispatcher will directly affect the efforts of the responders on the scene. To improve the training of dispatchers, the current training requirements first need to be identified. From this, additional training needs should be identified. Informational checklists or flowcharts may be needed to ensure the appropriate information is collected and distributed.

Specific Steps to Implementation

A40.1 Identify the current training requirements for dispatchers

A40.2 Identify additional information or training that is needed and work with the dispatchers' training program to implement

Potential Obstacles to Implementation

Change in curriculum

Objectives Met Through the Implementation of this Strategy

O4, O9, O12, O15

A41. Incorporate Incident Management Training into the Basic Training of All Responders

Most responders do not receive specific training on highway incident management. This type of training needs to be incorporated into their basic training. The first step would be to identify the basic training programs for all the major emergency response agencies. Next, the basic incident management information needed for each agency would need to be identified. Then each training program would need to be contacted and asked to incorporate this incident management training into their basic curriculum.

Specific Steps to Implementation

- A41.1 Identify the basic training programs for all key emergency response agencies that need the training
- A41.2 Identify the incident management information that is needed by each agency
- A41.3 Work with each of the key training programs to incorporate incident management information into their basic curriculum

Potential Obstacles to Implementation

Multi-agency effort

Objectives Met Through the Implementation of this Strategy

O4

A42. Establish a Statewide Incident Management Task Force to Coordinate Statewide Efforts and Provide Leadership and Direction for Incident Management on a Statewide Level

A statewide incident management task force would serve to lead Kentucky's highway incident management program. Many of the action strategies within the Strategic Plan require a multi-agency effort. As such, it is important that an interagency task force is created to oversee the implementation of these strategies. The incident management task force should be composed of the heads of the state-level responding agencies. Local incident management teams should also have a representative on the incident management task force. An incident management champion within KYTC should be identified to preside over the task force. The group would meet on a regular basis (every two to three months) and review the findings of the post incident debriefings, the efforts of local incident management teams, review initiatives in other states or regions, and work on Kentucky's Highway Incident Management Strategic Plan action strategies.

Specific Steps to Implementation

- A42.1 Identify the agencies that should be invited to participate on the incident management task force
- A42.2 Work with the incident management task force to adopt Kentucky's Highway Incident Management Strategic Plan
- A42.3 Identify key strategies from Kentucky's Highway Incident Management Strategic Plan and work on implementation

Potential Obstacles to Implementation

Multi-agency effort

Objectives Met Through the Implementation of this Strategy

O8, O12

A43. Establish or Enhance Local Incident Management Teams and Cultivate Their Development

Local incident management teams are used in many parts of the country. These teams help to improve communication and coordination among local responders. They typically meet anywhere from every month to three or four times a year. These meetings serve as a good opportunity to promote new initiatives in incident management, like open roads policies, emergency lighting policies, etc. An effective incident management team should have representation from all local responding agencies (including the private sector). The most appropriate place to develop these teams is in large urban areas or along critical corridors. “Meet and greet” meetings may be an effective way to establish a team in a new area.

It may also be possible to expand on existing relationships through Kentucky Emergency Management (KyEM). KyEM is currently required to have an incident management team within each county that focuses on all types of incidents. Some of these teams are more active than others, and most do not have a strong focus on highway incidents. These teams should be encouraged to incorporate highway incident management into their program.

Specific Steps to Implementation

- A43.1 Identify areas where a local incident management team is needed
- A43.2 Identify and work with a local agency to foster the development of that team
- A43.3 Host a local “Meet & Greet” to kick off or reintroduce a local incident management team
- A43.4 Develop a list of critical incident management initiatives that would be beneficial to local incident management teams
- A43.5 Work with the local incident management teams to implement critical incident management initiatives
- A43.6 Work with KyEM to incorporate highway incident management initiatives into the county incident management team’s program

Potential Obstacles to Implementation

Local champion needed to keep team active
Turf issues

Objectives Met Through the Implementation of this Strategy

O4, O7, O8, O12

A44. Encourage and Aid Incident Management Teams in the Development of an Incident Response Manual

Incident response manuals are often used by a local group of responders to document a planned response to incidents. These manuals typically designate the people and resources that are available to assist with an incident. Incident response manuals may also include special procedures that may need to be followed. These manuals are most effective when they are small, handheld reference books that can be used at the scene of an incident. Web-based response manuals can also be very useful for responders that have internet access within their vehicle. Kentucky has a Checklist for HCSM that serves as a statewide incident response manual. Local incident management teams could take the Checklist and tailor it into their own local incident response manual.

Other areas have incident response manuals that are much more detailed and include such things as a flashing lights policy, mutual aid agreements, and an open roads policy. This is not necessarily a tool to be used on scene, but a reference for responders to review prior to working an incident scene. These types of incident response manuals are also very effective in improving a multi-agency response to an incident.

Specific Steps to Implementation

- A44.1 Develop a template for an incident response manual that can be used by local incident management teams
- A44.2 Encourage and aid in the development of an incident response manual for each incident management team
- A44.3 Present and distribute the manual to local responders

Potential Obstacles to Implementation

Multi-agency effort

Objectives Met Through the Implementation of this Strategy

O8, O12, O13

A45. Sponsor Post Incident Debriefings for All Major Incidents

Post incident briefings are widely used around the country to review the actions taken during a major incident. These debriefings bring together all the responding agencies to review their actions in an effort to identify successes and opportunities for improvement. These meetings are most effective when held soon after the incident while memories are still fresh about the details. It is also beneficial to summarize the findings from the meeting and distribute them to the responding agencies. It is necessary to establish a local person who is responsible for hosting the meeting and reporting the findings. The statewide incident management task force should be informed of the findings from these meetings in order to disseminate critical information to all responding agencies across the state.

Specific Steps to Implementation

- A45.1 Establish criteria for the post incident debriefing meetings
- A45.2 Identify an agency or person in each Kentucky Emergency Management region and/or KYTC district who will be responsible for setting up post incident debriefings for all major incidents
- A45.3 Establish a reporting system that requires post incident debriefing meetings be summarized for the incident management task force

Potential Obstacles to Implementation

Multi-agency effort
Local champion is needed

Objectives Met Through the Implementation of this Strategy

O4, O7, O8, O12

A46. Incorporate a Mock Disaster Exercise as Part of the Annual Training for Responders

Mock disasters help responders better prepare for an incident. They are able to identify potential problem areas and address them before a real incident is encountered. The type of exercise could be incorporated into the local incident management team's activities.

Specific Steps to Implementation

A46.1 Develop a mock disaster exercise

A46.2 Work with local incident management teams to incorporate the mock disaster exercise into their annual training

Potential Obstacles to Implementation

Multi-agency effort

Logistical issues

Objectives Met Through the Implementation of this Strategy

O4, O8

A47. Share Kentucky's Highway Incident Management Strategic Plan with Responders and Update the Plan Regularly

Kentucky's Highway Incident Management Strategic Plan provides a mission and goals for the incident management program. The success of the program is very much dependent on the involvement of local incident management responders. Therefore it is critical that Kentucky's responders are familiar with the Strategic Plan. Also, the Plan needs to be updated on a regular basis, perhaps every two years, to reflect the changing needs of the Commonwealth.

Specific Steps to Implementation

- A47.1 Present Kentucky's Highway Incident Management Strategic Plan to all local incident management teams and encourage them to create their own local strategic plan (goals, objectives, action strategies)
- A47.2 Present Kentucky's Highway Incident Management Strategic Plan at the statewide incident management conference
- A47.3 Setup a website to disseminate information on Kentucky's Highway Incident Management Strategic Plan
- A47.4 Update Kentucky's Highway Incident Management Strategic Plan every two years

Potential Obstacles to Implementation

None identified

Objectives Met Through the Implementation of this Strategy

O8

A48. Establish a System for Ranking the Seriousness of Incidents

In order for response personnel to better understand the response required by an incident and the possible affects on traffic, incidents should be ranked based upon their seriousness. This ranking should take into consideration the number and nature of injuries or fatalities, the type and number of vehicles involved, the presence of hazardous material, and the expected length of closure. This information can be used by agencies to make the appropriate response to an incident.

Specific Steps to Implementation

A48.1 Establish a system for ranking the seriousness of incidents

A48.2 Present this system to local incident management teams and incorporate it into all forms of incident management training

Potential Obstacles to Implementation

Multi-agency effort

Objectives Met Through the Implementation of this Strategy

O8, O13

A49. Sponsor an Annual Statewide Conference to Encourage Interaction among Responders and Promote New Initiatives in Highway Incident Management

A statewide conference is a good way to draw attention to the highway incident management program. By hosting the conference annually, new initiatives in incident management can be presented to responders. Local responders can also share their own best practices with other responders. Vendors could be invited to show the latest incident management technologies.

Specific Steps to Implementation

A49.1 Sponsor an annual statewide conference to encourage interaction among responders and promote new initiatives in highway incident management

Potential Obstacles to Implementation

Logistical issues

Objectives Met Through the Implementation of this Strategy

O4, O8, O12

5.5 Priority

Because there are so many action strategies, it is important to identify which strategies are most important. Which strategies should be given the highest priority for implementation? The following three tables organize the strategies by priority, classifying each strategy as high, medium, or low priority. The assignment of “low priority” should not be misunderstood. All the strategies identified in the Plan are important and potentially beneficial, but, on a comparative basis, some of the strategies are considered to be less important than others.

In the following tables, each strategy is also assigned a time frame for implementation. Some strategies are considered to be high-priority, but may require time for implementation. At the same time, some strategies may be low-priority items, but they can be implemented very quickly. The items listed as high-priority and designated for immediate implementation can be considered “early winners”.

The priorities assigned to the action strategies are based primarily on the input of the Study Advisory Committee. However, the priorities were also influenced by stakeholder input, the best practices (identified in Section 4.0), and the amount of time available in the schedule.

Table 5. High Priority Action Strategies

Action Strategy	Specific Steps to Implementation		
	Immediate (1 year)	Mid-term (2 to 3 years)	Long-term (3 to 5 years)
A6. Public Information Campaign	A6.3 A6.5	A6.1 A6.2 A6.4	
A7. Alternate Route Plans	A7.1 A7.2	A7.3	
		A7.6 A7.7	
		A7.4 A7.5	
A8. Vehicle Parking Plans	A8.1	A8.2	
A10. Cleanup of Small Fuel Spills	A10.1	A10.3	
	A10.2	A10.4	
A11. HAZMAT Ordinances	A11.1	A11.3	
	A11.2	A11.4	
A12. Quick Clearance and Vehicle Removal	A12.1	A12.2	
		A12.3	
A22. Incident Reporting Hotline		A22.1 A22.2 A22.3	
A24. Reference and Ramp Markers	A24.1	A24.2	
A27. Communications Interoperability		A27.1	
		A27.2	
		A27.3	
A33. ITS at Critical Locations	A33.1	A33.3	
	A33.2		
A35. 511 System Enhancements	A35.2	A35.1	
		A35.3	
		A35.4	
A38. Interagency Training	A38.1	A38.3	
	A38.2		
A39. Traffic Control for Emergency Responders	A39.1	A39.2	A39.3
A42. I.M. Task Force	A42.1		
	A42.2		
	A42.3		
A43. Local I.M. Teams	A43.1	A43.3	
	A43.4	A43.2	
	A43.6	A43.5	
A45. Post-Incident Debriefings	A45.1	A45.3	
	A45.2		
A47. Share Strategic Plan	A47.1	A47.4	
	A47.2		
	A47.3		

Table 6. Medium Priority Action Strategies

Action Strategy	Specific Steps to Implementation		
	Immediate (1 year)	Mid-term (2 to 3 years)	Long-term (3 to 5 years)
A1. Emergency Vehicle Lighting	A1.1		
		A1.2	
		A1.3	
A4. End of Queue Warning	A4.1	A4.2	
A5. Incident Management Planning in Work Zones	A5.1	A5.2	A5.4
		A5.3	
A14. Push Bumpers	A14.1	A14.3	
	A14.2		
A16. Crash Reconstruction Equipment Comparison		A16.1	A16.3
		A16.2	
A17. Incident Response Team	A17.1	A17.2	A17.4
		A17.3	
A18. Freeway Service Patrols	A18.1	A18.2	
A19. On-Scene Traffic Manager	A19.1	A19.3	
	A19.2	A19.4	
		A19.5	
A20. Towing Incentive Program	A20.1	A20.3	A20.5
	A20.2	A20.4	
A21. Medical Examiner Policy	A21.1	A21.3	
	A21.2		
A25. Barrier Opens or Crossovers	A25.1	A25.3	
	A25.2		
A30. TMC Enhancement	A30.1	A30.2	
A32. Problems Providing Info to Public		A32.1	
		A32.2	
A34. Partnering with the Media	A34.1	A34.2	
		A34.4	
		A34.3	
A36. NIMS	A36.1	A36.2	
		A36.3	
A40. Dispatcher Training	A40.1	A40.2	
A41. I.M. Incorporated into Basic Training	A41.1	A41.3	
	A41.2		
A44. Incident Response Manuals		A44.1	
		A44.2	
		A44.3	
A48. Ranking of Incidents	A48.1	A48.2	

Table 7. Low Priority Action Strategies

Action Strategy	Specific Steps to Implementation		
	Immediate (1 year)	Mid-term (2 to 3 years)	Long-term (3 to 5 years)
A2. Portable Barrier Curtains	A2.1	A2.2	A2.3
A3. Secondary Crash Investigation	A3.1	A3.2	
		A3.3	
A9. Open Roads Policy	A9.1	A9.2	
A13. Update CRASH Form	A13.1	A13.2	
A15. Crash Investigation Sites	A15.1		
	A15.2		
A23. Automatic Cargo Identification	A23.1	A23.2	A23.3
			A23.4
A26. AVL and CAD	A26.1	A26.2	A26.3
A28. Equipment Storage Sites	A28.1	A28.3	
	A28.2		
A29. 24-Hour Incident Response	A29.1	A29.3	
	A29.2		
A31. Sharing Info Among Agencies and TMC	A31.1	A31.2	
		A31.3	
A37. NHI Course	A37.1		
	A37.2		
A46. Mock Disaster Exercise	A46.1	A46.2	
A49. Statewide I.M. Conference	A49.1		

6.0 IMPLEMENTATION OF KENTUCKY’S HIGHWAY INCIDENT MANAGEMENT STRATEGIC PLAN

Although the development of Kentucky’s Highway Incident Management Strategic Plan was led and sponsored by the KYTC, implementation of the plan will require a multi-agency effort. Successful implementation will require the development of a multi-agency incident management task force (refer to Action Strategy A42) to adopt the Plan and oversee its implementation. This task force will need to be composed of leaders within each organization who can make decisions and influence others in their organization. The Task Force should also include representation from the major local incident management teams (refer to Action Strategy A43) in order to obtain input from those groups and distribute information to local responders.

A new research project has been established by the KYTC entitled, “Incident Management Strategic Plan Recommendations”. That project should serve as the first step in implementation of Kentucky’s Highway Incident Management Strategic Plan. The Study Advisory Committee that is formed to guide that project should also serve as the Incident Management Task Force (as discussed above). The first action of the Committee (or Task Force) should be to adopt the mission statement, goals, objectives, and action strategies listed in the Strategic Plan. Next, they should identify the action strategies (or steps within each strategy) to be implemented in the first year. The responsible agency (or agencies) and estimated cost for each action strategy should also be identified at that time.

In order to implement the selected action strategies or steps, the Task Force will need adequate participation from all the key agencies. Working together in this way, the Task Force will be able to implement Kentucky’s Highway Incident Management Strategic Plan, thereby improving safety and reducing delay for all Kentuckians.

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Ohio Quick Clear Best Practices Guide	By Ohio Lane Closure Protocol Committee; Mar 2003
Standard Operating Procedure - Dallas Co	Traffic Section
Traffic Incident Management	David Helman; Public Roads: Nov./Dec. 2004; Vol. 68, No. 3
Oklahoma City Area Regional Transportation Study: Incident Management Guide	By PB Farradyne and Traffic Engineering Consultants, Inc.; Dec 2003
Chattanooga Urban Area Highway Incident Management Plan	By the Chattanooga Urban Area MPO and Chattanooga-Hamilton County Regional Planning Agency
State of Tennessee Strategic Highway Safety Plan	Tennessee Strategic Hwy Safety Committee, et al.
Help Annual Operating Report	Tennessee DOT and Vanderbilt Center for Trans. Research
"Helping Everybody Get Along"	Article from Federal Computer Week (www.fcw.com)
Incident Management Task Force White Paper	Connecticut Transportation Strategy Board Incident Management Task Force; October 2003

Appendix B
Border States Summary

1st Focus Question: What are some challenges or problems that arise with regard to incident management?						
2nd Focus Question: What are some solutions or potential solutions to address these problems?						
No Urgency to Clear Scene	Incident Management Planning	Public Information	Identifying Who is in Charge at the Scene		Resources	
Major Roads Unnecessarily Closed	Proper Protocols for All Events (who to call, when)	How Do We Inform the Public? 511, Traveler Advisories, Website Notifications	Who is Primary Responder? Who Can Respond to a Hazardous Material Incident?	Special Equipment	Pilot Project for Wireless Incident Management System - Capital City with RTI and MAP	
Quick Clearance Capability (fender benders)	Getting Emergency Service Agencies to Participate in Preplanning	How Do We Inform the Motoring Public? Motorists Notification in Advance of Incident	DOT's Fit in ICS at the Incident	Lack of Traffic Units and Wreckers	Emergency Management Computer	
Adopt Quick Clearance from Other States / Cities	Traffic Access for EMS	Better Utilization of Portable and Permanent VMS	Scene Management - Who is in Charge?: Law Enforcement vs. First Responders	Replacement Personnel		
	Response Times	What are the Alternate Routes?	Jurisdiction Authority to Open / Close the Road			

Appendix C
TIM Self-Assessment Documents

Section 1 4.1 Program and Institutional Issues - 30%	Section Score 0.0%
4.1.1 Formal Traffic Incident Management Programs	Enter Ratings for Each Question Below:
<i>Does your TIM program:</i>	
4.1.1.1. Have multi-agency, multi-year strategic plans detailing specific programmatic activities to be accomplished with appropriate budget and personnel needs identified?	
4.1.1.2. Have formal inter-agency agreements on operational and administrative procedures and policies?	
4.1.1.3. Have field-level input into the plans ensuring that the plans will be workable by those responsible for their implementation?	
4.1.2 TIM Administrative Teams	Enter Ratings for Each Question Below:
<i>Does your TIM program:</i>	
4.1.2.1. Have formalized TIM multi-agency administrative teams to meet and discuss administrative policy issues?	
4.1.2.2. Hold regular meetings of the TIM administrative team?	
4.1.2.3. Conduct training through simulation or "in-field" exercises?	
4.1.2.4. Conduct multi-agency post-incident debriefings?	
4.1.2.5. Conduct planning for "special events": <i>(Composite score for 4.1.2.5.a thru 4.1.2.5.d below)</i>	0
4.1.2.5.a. Construction and maintenance?	
4.1.2.5.b. Sporting events/concerts/conventions/etc.?	
4.1.2.5.c. Weather-related events?	
4.1.2.5.d. Catastrophic events?	
4.1.3. Performance Measurement	Enter Ratings for Each Question Below:
<i>Does your TIM program:</i>	
4.1.3.1. Have multi-agency agreements on what measures will be tracked and used to measure program performance?	
4.1.3.2. Have agreed upon methods to collect and analyze/track performance measures?	
4.1.3.3. Have established targets for performance? <i>(Composite score for 4.1.3.3.a and 4.1.3.3.b below)</i>	0
4.1.3.3.a. Response?	
4.1.3.3.b. Clearance?	
4.1.3.4. Conduct periodic review of whether or not progress is being made to achieve targets?	

Section 2 4.2 Operational Issues - 40%	Section Score: 0.0%
4.2.1. Procedures for Major Incidents	Enter Ratings for Each Question Below:
<i>Does your TIM program:</i>	
4.2.1.1. Have established criteria for what is a "major incident" – incident levels or codes?	
4.2.1.2. Identify high ranking agency members available on 24/7 basis to respond to a major incident (Major Incident Response Team)?	
4.2.1.3. Have a pre-identified (approved) contact list of resources (including special equipment) for incident clearance and hazardous materials response?	
4.2.1.4. Have the response equipment pre-staged for timely response?	
4.2.2. Responder and Motorist Safety	Enter Ratings for Each Question Below:
<i>Does your TIM program:</i>	
4.2.2.1. Train all responders in traffic control procedures?	
4.2.2.2. Utilize on-scene traffic control procedures for various levels of incidents in compliance with MUTCD?	
4.2.2.3. Utilize traffic control procedures for the end of the incident traffic queue?	
4.2.2.4. Have mutually understood equipment staging and emergency lighting procedures on-site to maximize traffic flow past an incident while providing responder safety?	
4.2.3. Response and Clearance Policies and Procedures	Enter Ratings for Each Question Below:
<i>Does your TIM program:</i>	
4.2.3.1. Utilize the Incident Command System?	
4.2.3.2. Have specific policies and procedures for fatal accident investigation that also address maintenance of traffic flow?	
4.2.3.3. Have specific policies and procedures for hazardous materials response that also address maintenance of traffic flow?	
4.2.3.4. Have quick clearance policies for major and minor incidents?	
4.2.3.5. Have a pre-qualified list of available and contracted towing and recovery operators (to include operators' capabilities)?	
4.2.3.6. Use motorist assist service patrols?	
Section 3 4.3 Communication and Technology Issues - 30%	Section Score: 0.0%
4.3.1. Integrated Interagency Communications	Enter Ratings for Each Question Below:
<i>Does your TIM program:</i>	
4.3.1.1. Have a two-way interagency voice communications system allowing for direct on-site communications between incident responders?	
4.3.1.2. Provide data and video information transfer between agencies and applications (TMC-CAD integration)?	
4.3.2. Transportation Management Systems	Enter Ratings for Each Question Below:
<i>Does your TIM program:</i>	
4.3.2.1. Use Traffic Management Center(s) to coordinate incident notification and response?	
4.3.2.2. Have a developed technical infrastructure for surveillance and rapid detection of traffic incidents?	
4.3.2.3. Have specific policies and procedures for traffic management during incident response (i.e. signal timing changes, opening/closing of HOV lanes/ramp metering)?	
4.3.3. Traveler Information	Enter Ratings for Each Question Below:
<i>Does your TIM program:</i>	
4.3.3.1. Have the ability to merge/integrate and interpret information from multiple sources?	
4.3.3.2. Have a real-time motorist information system providing incident-specific information?	
4.3.3.3. Provide motorists with travel time estimates for route segments?	

	Cincy / NKY	Louisville	Lexington	KYEM Area 4	KYEM Area 10	KYEM Area 11	Nation
Overall Score	3.0	1.4	2.7	1.3	0.9	0.6	1.8
Section 1	2.7	1.0	2.2	1.0	0.7	0.3	1.4
4.1 Program and Institutional Issues - 30%	2.7	1.7	2.3	1.0	1.0	0.0	1.7
4.1.1 Formal Traffic Incident Management Programs							
<i>Does your TIM program:</i>							
4.1.1.1. Have multi-agency, multi-year strategic plans detailing specific programmatic activities to be accomplished with appropriate budget and personnel needs identified?	2	1	1	1	1	0	1.41
4.1.1.2. Have formal inter-agency agreements on operational and administrative procedures and policies?	3	1	2	1	1	0	1.75
4.1.1.3. Have field-level input into the plans ensuring that the plans will be workable by those responsible for their implementation?	3	3	4	1	1	0	1.86
4.1.2 TIM Administrative Teams	3.4	1.4	3.3	1.1	0.9	0.8	1.7
<i>Does your TIM program:</i>							
4.1.2.1. Have formalized TIM multi-agency administrative teams to meet and discuss administrative policy issues?	3	0	2	1	1	0	1.92
4.1.2.2. Hold regular meetings of the TIM administrative team?	4	0	2	1	1	0	1.91
4.1.2.3. Conduct training through simulation or "in-field" exercises?	3	1	3	1	1	1	1.30
4.1.2.4. Conduct multi-agency post-incident debriefings?	3	1	3	1	1	1	1.55
4.1.2.5. Conduct planning for "special events":	4	2	4	1	1	1	2.52
4.1.2.5.a. Construction and maintenance?	3	3	3	3	3	3	3
4.1.2.5.b. Sporting events/concerts/conventions/etc.?	3	3	3	3	3	3	3
4.1.2.5.c. Weather-related events?	3	3	3	3	3	3	3
4.1.2.5.d. Catastrophic events?	3	3	3	3	3	3	3
4.1.3. Performance Measurement	2.0	0.0	1.0	1.0	0.2	0.0	0.7
<i>Does your TIM program:</i>							
4.1.3.1. Have multi-agency agreements on what measures will be tracked and used to measure program performance?	2	0	1	1	0	0	0.70
4.1.3.2. Have agreed upon methods to collect and analyze track performance measures?	2	0	1	1	0	0	0.71
4.1.3.3. Have established targets for performance for:	2	0	1	1	1	0	1.25
4.1.3.3.a. Response?	3	0	3	3	3	3	3
4.1.3.3.b. Clearance?	3	0	3	3	3	3	3
4.1.3.4. Conduct periodic review of whether or not progress is being made to achieve targets?	2	0	1	1	0	0	0.78

Section 2									
4.2 Operational Issues - 40%									
4.2.1. Procedures for Major Incidents									
<i>Does your TIM program:</i>									
2.8	1.6	3.4	1.7	1.1	1.0	2.2			
2.8	2.0	3.8	1.8	1.0	1.3	2.4			
4.2.1.1. Have established criteria for what is a "major incident" – incident levels or codes?	2	0	4	1	1	1.62			
4.2.1.2. Identify high ranking agency members available on 24/7 basis to respond to a major incident (Major Incident Response Team)?	4	3	4	2	2	2.95			
4.2.1.3. Have a pre-identified (approved) contact list of resources (including special equipment) for incident clearance and hazardous materials response?	3	3	4	2	1	2.85			
4.2.1.4. Have the response equipment pre-staged for timely response?	2	2	3	2	0	2.25			
4.2.2. Responder and Motorist Safety									
<i>Does your TIM program:</i>									
2.5	0.3	3.0	1.5	1.0	1.0	1.7			
4.2.2.1. Train all responders in traffic control procedures?	3	0	3	2	1	2.02			
4.2.2.2. Utilize on-scene traffic control procedures for various levels of incidents in compliance with MUTCD?	2	0	3	1	1	1.94			
4.2.2.3. Utilize traffic control procedures for the end of the incident traffic queue?	3	0	2	1	1	1.44			
4.2.2.4. Have mutually understood equipment staging and emergency lighting procedures on-site to maximize traffic flow past an incident while providing responder safety?	2	1	4	2	1	1.42			
4.2.3. Response and Clearance Policies and Procedures									
<i>Does your TIM program:</i>									
3.2	2.5	3.3	1.8	1.3	0.8	2.6			
4.2.3.1. Utilize the Incident Command System?	3	4	4	2	3	2.51			
4.2.3.2. Have specific policies and procedures for fatal accident investigation that also address maintenance of traffic flow?	3	3	4	2	1	2.48			
4.2.3.3. Have specific policies and procedures for hazardous materials response that also address maintenance of traffic flow?	3	4	4	2	1	2.92			
4.2.3.4. Have quick clearance policies for major and minor incidents?	3	0	3	2	0	2.00			
4.2.3.5. Have a pre-qualified list of available and contracted towing and recovery operators (to include operators' capabilities)?	3	0	4	2	2	2.91			
4.2.3.6. Use motorist assist service patrols?	4	4	1	1	1	2.79			

	Cincy / NKY	Louisville	Lexington	KYEM Area 4	KYEM Area 10	KYEM Area 11	Nation
Section 3							
4.3 Communication and Technology Issues - 30%	3.5	1.6	2.4	1.2	0.9	1.1	1.7
4.3.1. Integrated Interagency Communications	3.5	0.5	1.5	1.5	2.0	1.0	1.6
Does your TIM program:							
4.3.1.1. Have a two-way interagency voice communications system allowing for direct on-site communications between incident responders?	4	0	0	2	3	2	1.68
4.3.1.2. Provide data and video information transfer between agencies and applications (TMC-CAD integration)?	3	1	3	1	1	0	1.48
4.3.2. Transportation Management Systems	3.3	2.0	3.0	1.0	0.0	2.0	1.9
Does your TIM program:							
4.3.2.1. Use Traffic Management Center(s) to coordinate incident notification and response?	3	2	3	1	0	2	2.04
4.3.2.2. Have a developed technical infrastructure for surveillance and rapid detection of traffic incidents?	4	3	3	1	0	2	1.95
4.3.2.3. Have specific policies and procedures for traffic management during incident response (i.e. signal timing changes, opening/closing of HOV lanes/ramp metering)?	3	1	3	1	0	2	1.62
4.3.3. Traveler Information	3.7	2.3	2.7	1.0	0.7	0.3	1.5
Does your TIM program:							
4.3.3.1. Have the ability to merge/integrate and interpret information from multiple sources?	4	2	4	1	1	1	1.67
4.3.3.2. Have a real-time motorist information system providing incident-specific information?	4	2	3	1	1	0	1.88
4.3.3.3. Provide motorists with travel time estimates for route segments?	3	3	1	1	0	0	1.04

Appendix D
Stakeholder Forum Summary

Title	First	Last	Agency	City	State
Mr.	Nancy	Albright	KYTC - Division of Maintenance	Frankfort	KY
Mr.	Andy	Alphin	Bluegrass Towing	Lexington	KY
Mr.	Steve	Balentine	Paducah Police Department	Paducah	KY
Mr.	Roy	Benge	Kentucky Emergency Management - Area 10	Hazard	KY
Mr.	Jeff	Bibb	KYTC - TOC	Frankfort	KY
Captain	Eric	Bleidt	Hopkinsville Fire Department	Hopkinsville	KY
Mr.	Danny	Blevins	State Fire Rescue Training	Morehead	KY
Mr.	Jim	Bottom	Louisville Metro Emergency Management	Louisville	KY
Mr.	Don	Breeding	KYTC - District 11	Manchester	KY
Mr.	Mike	Brown	Bowling Green Fire Department	Bowling Green	KY
Mr.	John	Burke	Cumberland Gap Tunnel Authority	Middlesboro	KY
Mr.	Scott	Burrows	Towing and Recovery Association of Kentucky	Pendleton	KY
Mr.	Mike	Calebs	KYTC - District 11	Manchester	KY
Assistant Chief	Glendon	Carlton	LFUCG - Division of Fire	Lexington	KY
Mr.	Bill	Carver	State Fire Rescue Training	Bowling Green	KY
Mr.	Cash	Centers	KYTC - TOC	Frankfort	KY
Lieutenant	Ennis	Chaney	Kentucky Vehicle Enforcement - Region 6	Mt. Sterling	KY
Sergeant	Tim	Cleary	Elizabethtown Police Department	Elizabethtown	KY
Mr.	Wade	Clements	KYTC - District 2	Madisonville	KY
Ms.	Andrea	Clifford	KYTC - District 5	Louisville	KY
Mr.	Andrew	Cline	Office of Homeland Security	Frankfort	KY
Mr.	Keith	Coffey	Coffey's Towing	Louisville	KY
Officer	James	Collins	Kentucky Vehicle Enforcement - Region 10	Pikeville	KY
Mr.	Matt	Corbett	IRST LLC	Louisville	KY
Dr.	Tracey	Corey	State Medical Examiner's Office	Frankfort	KY
Mr.	John	Crossfield	KYTC - Division of Operations	Frankfort	KY
Captain	David	Cullen	Kentucky Vehicle Enforcement - Region 1	Eddyville	KY
Lieutenant	Larry	Davis	Kentucky Vehicle Enforcement - Region 3	Elizabethtown	KY
Mr.	Letch	Day	Kentucky Board of Emergency Medical Services	Frankfort	KY
Mr.	Paul	Deines	Kentucky League of Cities	Lexington	KY
Captain	John	Edmondson	Kentucky Vehicle Enforcement - Region 4	Louisville	KY
Mr.	Donald	Ellis, Jr.	Ellis Wrecker Service	Bardstown	KY
Mr.	Randall	Embry	KIPDA	Louisville	KY
Lt.	Joe	England	Kentucky Vehicle Enforcement - Headquarters	Frankfort	KY
Mr.	Scott	Evans	Northrop Grumman - ARTIMIS	Cincinnati	OH
Mr.	Don	Franklin	Kentucky Emergency Management - Area 12	Somerset	KY
Sergeant	Neil	Gilreath	Covington Police Department	Covington	KY
Assistant Chief	Chris	Gosnell	Okolona Fire Department	Louisville	KY
Mr.	Casey	Grady	Northern Kentucky ADD	Florence	KY
Major	Christine	Hancock	Jefferson County Sheriff's Office	Louisville	KY
Mr.	Dan	Hayden	Kentucky Emergency Management - Area 13	Lexington	KY
Mr.	Greg	Howard	Kentucky Vehicle Enforcement - Headquarters	Frankfort	KY
Mr.	Frederick	Hughes	Transit Authority of River City	Louisville	KY
Mr.	Wayne	Jordan	State Fire Commission	Versailles	KY
Mr.	Ken	Kallmeyer	Ken's Service	Covington	KY
Captain	Todd	Kelley	Ashland Police Department	Ashland	KY
Chief	Michael	Kendall	Kentucky Association of Chiefs of Police	Richmond	KY
Mr.	Gary	Kohler	MSD - Emergency Response	Louisville	KY
Mr.	Tom	Kuster	TRIMARC Traffic Management Center	Louisville	KY
Mr.	David	Leddy	Kentucky Vehicle Enforcement - Headquarters	Frankfort	KY
Mr.	Michael	Loyselle	Federal Highway Administration	Frankfort	KY

Title	First	Last	Agency	City	State
Lieutenant	David	Marcum	Kentucky Vehicle Enforcement - Region 9	Walton	KY
Mr.	Chris	McGill	Total Traffic Network	Louisville	KY
Mr.	Brian	Meade	KYTC - District 5	Louisville	KY
Mr.	Nick	Melton	Vaughn & Melton	Middlesboro	KY
Mr.	Gary	Mitchell	KYTC	Frankfort	KY
Mr.	Ken	Mitchell	CMRS Board	Frankfort	KY
Ms.	Karen	Mohammadi	HNTB Corporation	Louisville	KY
Mr.	Terry	Mosser	Kentucky Department of Criminal Justice Training	Richmond	KY
Mr.	Jack	Nevin	Northrop Grumman - TRIMARC	Louisville	KY
Assistant Chief	Chuck	Norris	Covington Fire Department	Covington	KY
Mr.	Steve	Oglesby	Kentucky Emergency Management - Area 14	Frankfort	KY
Mr.	R.L.	Owens	Owens Towing and Recovery	Corbin	KY
Major	Reggie	Packer	Kentucky Army Regional National Guard	Frankfort	KY
Mr.	Dan	Parker	IRST LLC	Louisville	KY
Mr.	Richard	Parkos	Kentucky Department of Criminal Justice Training	Richmond	KY
Mr.	Mike	Penn	Holbrook Towing	Frankfort	KY
Captain	Paul	Perkins	Kentucky Vehicle Enforcement - Region 5	Georgetown	KY
Mr.	Jerry	Pigman	Kentucky Transportation Center	Lexington	KY
Mr.	Craig T.	Price	KYTC - District 7	Lexington	KY
Mr.	Jerry	Rains	Kentucky Emergency Management - Area 11	Middlesboro	KY
Dr.	Bill	Ralston	State Medical Examiner's Office	Frankfort	KY
Mr.	Greg	Raque	Louisville Metro Police Department	Louisville	KY
Mr.	Allen	Ravenscraft	KYTC - Division of Employee Safety and Health	Frankfort	KY
Ms.	Susan	Rich	HNTB - TRIMARC	Louisville	KY
Mr.	Bruce	Roberts	Kentucky Professional Fire Fighter's Association	Louisville	KY
Captain	Lisa	Rudzinski	Kentucky State Police	Frankfort	KY
Mr.	Terry	Runner	Kentucky Department of Criminal Justice Training	Richmond	KY
Mr.	Nick	Schade	Towing and Recovery Association of Kentucky	Louisville	KY
Mr.	Tim	Schoch	Northrop Grumman - ARTIMIS	Cincinnati	OH
Mr.	Bob	Searcy	Glenco Tire Service	Glenco	KY
Ms.	Jane	Searcy	Glenco Tire Service	Glenco	KY
Mr.	Don	Sechrest	Sechrest Garage & Co., Inc.	Williamstown	KY
Mr.	Larry	Sennett	Kentucky Department of Criminal Justice Training	Richmond	KY
Sergeant	Paul	Simms	LFUCG - Division of Police	Lexington	KY
Mr.	David H.	Sloane	Georgetown/Scott County EMS	Georgetown	KY
Mr.	Chris	Smith	KYTC - District 5	Louisville	KY
Ms.	Michelle	Stites	Louisville Metro Air Pollution Control District	Louisville	KY
Mr.	Duane	Suttles	State Fire Rescue Training	Morehead	KY
Mr.	Asa	Swan	KYTC - Office of the Secretary	Frankfort	KY
Captain	John	Thorpe	Kentucky State Police - Post 5	Campbellsburg	KY
Mr.	Tommy	Turner	Larue County Judge Executive	Hodgenville	KY
Major	James	Vanhook	Kentucky State Police	Frankfort	KY
Lieutenant	Tim	Wakefield	Oldham County Police Department	LaGrange	KY
Lieutenant	David	Walbert	Kentucky Vehicle Enforcement - Region 2	Franklin	KY
Mr.	Mike	Wallingford	State Fire Rescue Training	Highland Heights	KY
Captain	John	Ward	Kentucky State Police - Post 4	Elizabethtown	KY
Mr.	Rick	Watkins	Kentucky Emergency Management - Area 7	Walton	KY
Mr.	Richard	Wellinghurst	LM HEALTH - HAZMAT	Louisville	KY
Mr.	Charlie	Winter	Kentucky Emergency Management	Frankfort	KY
Mr.	Jim	Woods	LFUCG - Division of Traffic Engineering	Lexington	KY
Mr.	Tom	Wright	KYTC - District 5	Louisville	KY
Mr.	Tony	Young	Federal Highway Administration	Frankfort	KY

Monday's Red Group

Site Management (12 Votes)		Communication - First Responders (10 Votes)		Communication - Public (9 Votes)		Training & Education (5 Votes)		Leg. And Policy (3 Votes)		Funding (3 Votes)	
Who is in charge at scene?	ICS Certification	Agencies have problem not being able to talk in the field	Dispatcher Training - consistent; flow charts	Motolist Info - Need more highway signs . . . 511, etc.	What can training do to assist in problem?	Clearance - Legislation if important!	Funding for Recurring Expenses (Maintenance)				
Who is in charge?	Consistent Training of ICS (curriculum standardized, systematic)	Interoperability - the ability of agencies to communicate with each other by voice and/or data	Mutual-aid Channel	Lack of Signed Detours	Education to go along with New Signs	Legislation for law enforcement in work zones	Funding for more ITS				
Who is in charge or command?	Interagency Training of ICS	Delays in Appropriate Responses		More LED signs per DOT Districts (Maybe 2/country or couple county)	Public Education of Legislative Package	Liability Issues - IMS					
ICS	Knowledge of ICS Roles	Wrecker Service Must Know What Equipment to Bring		Signage @ incidents pop-up / quick signs	Knowing Your Role - Transportation crew sometime asked to do things not trained to do	Proactive Planning - law enforcement present in high incident locations					
Later clean-up of scene uncoordinated	Barrier Curtains			Routing Traffic into Unknown Areas							
How to curtail rubbernecking	Train-the-Trainer in ICS			Inappropriate Road Closures							
				Coordinated Effort with Adjoining States About Road Closures or Delays							
				Inaccurate Media Reports							
				Fixed Early Warning Signs							
KEY:	Denotes a problem or challenge as defined by a stakeholder.	Denotes a solution or potential solution as defined by a stakeholder.									

Monday's Blue Group

Incident Command (18 Votes)		Traffic Management (16 Votes)				Training (10 Votes)	
Incident Command	NIMS Compliance	Accurate Scene Size-up	Traffic Control (personnel signage placement)	Alternate Route Plans	Dispatch Towing Early	Lack of Training for First Responders	Training for a Consistent Program Statewide
No Common ICS	Statewide Incident Chain-of-Command Chart	Size and Type of Vehicles Lanes Blocked	Traffic Management - Have a plan	Have Portable Screens Available	On-Scene Planning	Response Different Levels of Manpower & Levels of Training	Placing Persons & Vehicles in Places to Prevent More Accidents
No Use of Common Language/Structure (NIMS)	Regional Incident Command Centers	Cooperative Spirit	Quick Clear - Open Lane	Common Sense Priorities	Corridor Planning	Knowledge of ICS	Incident Management Training @ Basic Academy (Fire & Police)
Verification -- Access to Incident; Decision to Close Highway; Rerouting of Traffic	Command Structure	Full Scale Mock Disaster (Not Tabletop)	Vehicles won't Move Over	Priority Setting of Traffic Impact	Only Close Road for Minimum Time Needed; Not just because you can	Standardize	Standardized
Lack of Coordination	IC (Who's in charge) -- HazMat --> Fire; Criminal & Non-HazMat --> Police	IC Training Statewide (All agencies involved)	Move Queue Left	Pre-Planning	Follow Pre-Plan	Standard	Multi-Agency Training
Who is in Charge (ICS)	Share Command	Multi-agency Training Together	Traffic Management: Need to Stage Emergency Vehicles	Training all Potential Disciplines Involved	Promote Quick Clear Program / Policy	Certification of all Responders	Regional Training for NIMS
Scene Command Issues (Who is ultimately in charge?)	1 person on scene to be in charge	Training Together (Police, Fire, EMS, DOT, etc.)	Interstate or 2 Lane	Never Close Road Unless Necessary	Traffic Control - Training & Equipment (Cones, signs, vests,)	We Need a Program	Require Towing To Know and Understand NIMS
Who Decides Quick clearance (Crime vs. Non-Crime)	Command Post Leader	Training	Responders Have Low Priority for Traffic Management	Standard queue Lanes	Timely Release of Traffic		
Who Can Open the Road?	Require NIMS Training for all 1st Responders & Use at all Incidents	Training	Access to Scene	Institute a New Warning System for Traffic	Paint or Mark Wreck - Move Can Replace		
Different Views on Resource Needs	Ranking of Incidents	Pre-Incident Stakeholder Exercises	Screen Incident From Public View	On-Scene Traffic Manager	Place DOT under the Justice Cabinet		
Persons to Scene	Establish Consistent Priorities		Predetermined detour routes	Detour Plan	CORAL is IN!!		
KEY:	Denotes an problem or challenge as defined by a stakeholder.	Denotes a solution or potential solution as defined by a stakeholder.					

Monday's Green Group

Not Using IMS Properly (17 Votes)				Lack of Timely Useful Public Information (14 Votes)			
All Agencies Don't Use the Incident Command System	Locals in charge of major incidents	Require Training @ all Service Schools	Practical and/or Table Top Exercises with Everyone Participating	Good Media Contacts	Call Boxes	Trained PIO's at Scene	
The Authority to Move Traffic is not defined. - Who is in Charge?	IM Manager does not have global viewpoint.	Require IMS Training for Responders	Established Lines of Authority for Specific Incidents	Better Warning Info	Coordinated Blitz (NOAA - 511 - 530 AM - etc.)	Report all incidents to KYTC TOC to include in 511	
Maintenance of (single) unified incident management	Implement Unified Command (UC)	IMS Part of Basic Training	Uniform System for Determining Incident Commander	No Warning of Delays / Stoppages	Up-to-date road conditions line	PIO Training	
Local Incident Management (IM) Agreements	Incident Command System (ICS) / UC - Required by State Law	Have an IMS Team to Respond and Take Charge of the Scene		Motorist Information is Too Late once someone is stuck in a 3 mile backup!	Posted Traffic Update (AM Radio Stations)	Designate PIO Personnel to talk to Media	
Training Unified Command	Statutory - Coroner in Charge of Death Scene	To mandate IMS Training		No Info on Avoiding Delays	More Mobile Display Boards	Detour Trailblazers	
Who should be in Charge?	Responder Safety	SOP (fixed) for each type of incident		Cell Site Locators	Variable Message Signs at Critical Locations		
Who is in Charge?	Inadequate or Ineffective Use of Personnel	Require all agencies to utilize IMS		Little / No info to motorists	Develop Information System		
Who is in Charge?	Require all to have training on the Incident Management System (IMS)	Exercise Training Jointly		Implement Joint Public Info System	Pre-planning Media contacts (radio / TV)		
Too Many People on Scene	Agencies Train Together	Standardized Training Required		The Key Person to Release Motorist Information is Not Identified.	Single Public Information Officer (PIO) for Each Incident		
Who Determines "Appropriate" Personnel	Attend Monthly Training Sessions	Community Cooperation		Out-of-State Travelers - Unfamiliar	Money to Fund Info System		
Use of National Incident Management Systems (NIMS)	Always Implement KRS39	Training, Training, Training		Motorist Not Using Radios	Identify the Agency Responsible for Releasing Info		
KEY:	Denotes a problem or challenge as defined by a stakeholder.	Denotes a solution or potential solution as defined by a stakeholder.					

Monday's Green Group continued

Inadequate Communication (10 Votes)		Conflicting Priorities Prevent Clearing (10 Votes)			Lack of Planning & Preparation (6 Votes)	Rubberneckers (0 Votes)
Central Dispatch	Homeland Security - IP Mobile NET Mobile Data Terminals	Mandated Critical Incident Training for Dispatchers	Serious Injury Delays Clearing	Delay in Tow Service	Interagency Training and Exercising	Not Enough Mobile Signage Display Boards
Incident Description Discrepancies from 911 callers (cell)	Public Education - How to Report (Include in Kentucky's Driver Manual)	Centralized Dispatch Training Required	Scene Investigation (Criminal / Civil)	What is HazMat	Understand 1st Priority - Traffic #2	Lack of Traffic Control Equipment
Right Questions Not Asked	Money Mutual Aid Frequency	Gat Rid of 10 codes (Standardize them)	Access of Responders to Scene / Incident	Sometimes 1st responder blocks open roads, when they could keep traffic open.	Better Estimates of Closure Times	Failure to Deploy Needed Equipment
Lack of Geographic References	Milepost Signage	Report All Incidents to EOC or TOC	Open Lanes vs. Safety	Post Incident Critique	Wider shoulders to remove damaged vehicles for tow	Info is Needed Early on severity - often VMS, Detours, etc. are put in place when incident is over.
Mostly Relies on Motorists	Who/When Call TOC	1 Statewide Communications System	HazMat - When risk is low - open to traffic	Pre-Incident Planning	Unified Local State Emergency Operations Plan	Need Time to Establish Adequate Detours
Inexperienced Dispatchers	Cell Phone Locators		Environmental (HazMat) Cleanup is Health Protection	Move non-injury crashes off the roadway (like Tennessee does)	Specific State Guidelines for the IC	Preplan for Detour
Agencies Need Common Radio Frequency	Interoperable Communications		The sooner the road flows the better	Extra wide medians and shoulders		Planned Rerouting of Major Traffic Areas
More than 1 Dispatch Notified	Common Radio Channel for All Agencies		Clearance vs. Investigation	Ensure all agencies give priority to clearing roadways		Overflow to Surface Streets
Lack of Sense of Urgency	Supervisors Commanders Exchange Nextel info		Detection - who is responsible? Wreckers / Law Enforcement	Include Private Sector in IMS		
Central Verification Point	Camera Systems		Towing Requiring road closures or lane closures should be done during off-peak traffic flows.	Set Local Hazmat Users (cleanup) modify codes when apply.		
Accurate Information	Standardize Dispatcher Questions		Response Times from Special Units	Have an up-to-date resource list		
KEY:	Denotes a problem or challenge as defined by a stakeholder.	Denotes a solution or potential solution as defined by a stakeholder.				

Tuesday's Red Group

Clear / Timely Motorist Info (8 Votes)		Improved Traffic Flow (7 Votes)		Need for Site Management (6 Votes)	
Changeable Message Boards	Placement of Portable, Changeable Signs Early	Quick Clearance for non-injury accidents	Formal Standardized Training (on Quick Clearance)	Use NIMS Managing the Scene	NIMS
Maximize Use of 511	24/7 Staffing of TRIMARC - ARTIMIS - TOC	Unnecessary Road Closures	Legislation for Quick Clearance and Responder Immunity	Who's in Charge at the Scene?	Improve Interagency Communications
Motorist Info (511, electric message board, public service announcement - AMFM Radio)	Install Overhead message Boards Prior to Decision Points	Better Response From Towing Companies	Agency Resource Lists	Who is in Charge?	Evaluate Current IM Practices
Alternate Route Information for Motorists	Law Enforcement Putting Incidents in CARS / 511	Clearance - Limit Liability for Product / Vehicle Removal	Legislation	Jurisdiction	Networking Between Groups
Inform motorists early so area can be avoided (reduce "trapped" motorists)	Mobile Signs / Instant Info	Better Management of By-pass Routes	Limited Response Until Incident Identified	Command / Control Area Clear flow of communication	Formal Standardized Training (NIMS)
Marking incident signage	Predetermined Detour Routes	Detour Route Congestion	Call Towing / Recovery Earlier	Communication between agencies	Multiple Agencies in Same Training Classes
Call Center for Information	Universal Call Taker Questions	Secondary Crashes	Agency Collaboration	Investigating Agency Designate as Incident Command	Regional Training
Media (Public Information - Traffic Control)	ITS		Placing VMS at back of queue near alternate route	Communication and Coordination	Mutual Aid Agreements
	1 Point of Contact for Media		Off loading cargo from wrecked semis during evening hours	Mindset - No sense of Urgency	
KEY:	Denotes a problem or challenge as defined by a stakeholder.	Denotes a solution or potential solution as defined by a stakeholder.			

Tuesday's Red Group continued

Need for Training (6 Votes)	Need for Motorist Education (5 Votes)	Improved & Effective Response (2 Votes)	Engineering Roadway Design (0 Votes)
Train Dispatcher on KYTC Capacities	Motorist Education - No Need to Idle	Staging - Additional unused equipment must be reduced	
Don't discount investigation so traffic can keep going	Shoulder Traffic	Equipment needs (Cones, Barricades, Detour Signs)	Responders getting to the scene
Accurate Information	Drivers Test (Harder, Retest)	Using the Right Measures (Looking @ safety)	Towing Coordination
Response (contact 24 hr. warning points, county & state)	Highway Advisory Radio	Transportation Response Times Must be Reduced	Training
Understanding need for urgency	PSAs, Public Info Campaigns (No shoulder driving, no idling, turn on radio)	Rapid Recovery Vehicles	Checklists
Cost of Training	Motorist Education PSAs	First Responder Identify Needs	
Cost of Delay	Driver's Ed - What to do if	Exact Location of Incident	
Training for Responders	Retraining / Update Older Drivers	Reference Markers	
	Partner w/ media	Equipment needed to Remove wreckage	
	KEY:	Denotes a problem or challenge as defined by a stakeholder.	Denotes a solution or potential solution as defined by a stakeholder.

Tuesday's Blue Group

Accurate Initial Information (14 Votes)		Incident Command Protocol (10 Votes)		Communications (11 Votes)	
Report may or may not be accurate	Multi-agency Uniform dispatch training	Site Management: Who's in Charge?	Develop Local Incident Response Strategies / Plans	Inability or Lack of Communications	Radio Sharing User Agreements
Correct Information From Dispatch	Have 1 Central Source for Info	Establishing SOPs (i.e., pre-incident / pre-accident plans)	Flexible SOPs that are clear	Multi-Agency Interoperability	Designate Incident Communication Officer
Accurate Information from Police Dispatch	1st Responder Uniform Training	Numerous Agencies Responding (Roles)	Have a standard as to who is incident commander	Communication among Responding Agencies	Establish Pecking Order by Law
Properly Identifying Incident Type	Law Enforcement Trained to Describe Incident Vehicles in Detail	Response Economic or Fast Cleanup		Poor communication between and within agencies	Cell Phones for First Responders
Severity (Injuries, etc.) Unknown (Due to Cell)	Pre-Arrival Instructions Dispatch asking the Right ?'s	Who is in Charge (communication)		Resource / support agencies out of the loop	2-Way Communication
Nature of Vehicles Involved	Fund Training for Police Dispatch	Ownership of Incident vs. Roadway		Automate widespread info dissemination	Interoperable Radio Systems
Complete Info (What?, Where?, How?)	Standardize Questions and Information Gathering	NIMS		Multi-agency incident exercises	
Incident Verification (i.e., location, materials involved)	Trained People Try to Get Proper Info from 1st Caller (Know what info needed by each agency)	Who's Paying the Cleanup Bill (Is he in Command?)		Incident command radio channel statewide	
Interagency Cooperation	List of Contact Numbers	Each Agency's Role Understood by All		Training in ICS / NIMS	
Have fully staffed and equipped HazMat Teams on Interstates and Parkways	Checklist for Appropriate ?'s for Dispatch	Incident Protocol Checklist for Field and Headquarters		Establish a "Go To List" ahead of time to know who are the major players	
Develop a Checklist for First Responders	Train Dispatchers to Obtain all Pertinent Information	Required NIMS Training for all Responders		Grant Funding Interoperability	
KEY:	Denotes an problem or challenge as defined by a stakeholder.	Denotes a solution or potential solution as defined by a stakeholder.			

Tuesday's Blue Group continued

Traffic Management (9 Votes)	Cleanup and Recovery Protocol (6 Votes)	Resource Management (3 Votes)	Time Factor (1 Vote)	Lost Time (ARI, etc.) (0 Votes)	Check for Injuries (0 Votes)	Stewardship (0 Votes)	Medical Support (0 Votes)
Make a Detour	Detour Routes Capable of Handling All Types of Traffic	Immediate Response Of Specialized Equipment					
Getting to the Scene	Get Info. To the TOC	Resource Availability and Response					
Lack of Alternate Traffic Routing	Clear Wreckage During Non-Peak Times (Off Road Wreckage)	Knowledge of Assets in immediate area					
Report Alternate Routes	Liability for Quick Clearance	Identifying resources needed					
Timely, Upstream Motorist Notification	Cleanup agencies left without support						
Use Permanent and Portable VMS to Notify Motorists	Maintain Traffic Control and Police Until Completely Finished						
Share Viable Detour Routes with All	Agencies Working Together						
Have Traffic Detour Routes Pre-planned (Not just interstates)	Quick Clearance Passed						
Allow Responders to Run Lights	Define Protocols as part of Strategic Plans						
Have Nationwide or State Radio Station	The Answer is "D" - all of the above						
Checklist of Proven Alternative Routing	Pass Quick Clearance Legislation						
	KEY:	Denotes an problem or challenge as defined by a stakeholder.					
		Denotes a solution or potential solution as defined by a stakeholder.					

Tuesday's Green Group

Delays - Right Stuff on Scene (10 Votes)	Who's in Charge? (10 Votes)	Detour Problems (7 votes)	Safety for All (7 Votes)	Accurate Incident Information (5 Votes)	Not Enough Communication (2 Votes)	Detecting the Incident (1 Vote)	Dissemination of Information (0 Votes)
Situations Left in Incapable Hands	Know Who is in charge	Poor Detours	Scene Safety	Response - What Actually Occurred	Communication	Having a reliable detection system	Accurate Information - Distribution to Public
Investigation Delays	Who's in Charge?	Management of Detour Length / Time / How Complex	Safety of All	Verification of Exact Location	Communication	Detection System That Promptly Identifies incident	Effective Distribution
Getting Help to Scene	A Hierarchy of on-scene management	Coordinate Pre-Planned Detour Route At High Accident Locations	Left alone on Scene	Multiple Jurisdictions and Communication Centers	Breakdown in Communication	Detection System that Minimizes False Calls	
Not Called Early	Protocol to contacting the Incident Commander (IC)	Dynamic Conditions	Public Education	Identifying if Injuries are Involved	Information Accuracy		
Response Times	Who is in charge?	Failures / Maintenance of Equipment	Include Information in the Drivers' Manual	Accurate Location	Understand ICS		
Appropriate Size Wreckers	Should include Assembly of Agencies	Minimize Traffic Impacts	Keep a blue light at scene to assist in traffic control	Not Being Able to Handle Calls	Common Radio Frequency(ies)		
Wrecker Companies Dont Have the Appropriate Equipment	Choose Least Disruptive Time for Clearance	Pre-determined Primary & Secondary Alternates	Vehicle Placement	Reference & Ramp Markers and Educate Dispatchers	Contact List		Additional Note: See www.usfa.com For US Fire Administration Emergency Vehicle Operations (FA-272?)
Role of Responders Time vs. Urgency	Multiple Agencies Working Together	Identify Accident Location, Derive Signed Detour	Too Many Lights (Plan for use)	Video Verification	Meet & Greet		
Presenting Evidence Takes Longer to Clear	Pre-defined Procedures Based on the incident (type/conditions)		Screening off the collision site (to remedy rubbernecking)	Use Available Resources	Education and Cross Training		
Alternative Spill Response Technologies	Education			Use Available Resources	Use Available Resources		
	Cross Training				Follow-up meeting (in timely manner)		
KEY:	Denotes a problem or challenge as defined by a stakeholder						
	Denotes a solution or potential solution as defined by a stakeholder						

Appendix E
Kentucky Statutes and Regulations

KRS 72.020 Duty of person, hospital, or institution finding or possessing dead body -- Duties of coroner, law enforcement officer, embalmer, funeral director, or ambulance service.

- (1) Any person, hospital, or institution, finding or having possession of the body of any person whose death occurred under any of the circumstances defined in subsections (1) through (12) of KRS 72.025, shall immediately notify the coroner, or his deputy, and a law enforcement agency, which shall report to the scene within a reasonable time. No person shall remove the body or remove anything from the body until directed to do so by the coroner or his deputy, after the law enforcement agency is present or has failed, within a reasonable period of time, to respond.
- (2) The coroner shall take possession of any objects, medical specimens, or articles which, in his opinion, may be helpful in establishing the cause of death, and he can make or cause to be made such tests and examinations of said objects as may be necessary or useful in determining the cause of death. In the event that a criminal prosecution arises, all such objects and articles together with reports of any examinations made upon them, shall be retained by the coroner until their production in evidence is required by the prosecuting authority, unless otherwise directed by written order of the court in which such prosecution is pending.
- (3) Upon final disposition of each criminal prosecution under this section, the court shall by appropriate written order dispose of all objects retained under the provisions of this section.
- (4) If the law enforcement officer at the scene has probable cause to believe that one of the conditions in subsection (1) of this section exists and the coroner refuses to require a post-mortem examination, the officer shall immediately notify the county or Commonwealth attorney who may proceed pursuant to KRS 72.445.
- (5) In all cases listed under KRS 72.025 in which a licensed embalmer, funeral director, or ambulance service is notified and is the first person at the scene of death other than private citizens, he shall notify the coroner and if the death appears to fall within the categories established in subsections (1) through (12) of KRS 72.025, he shall notify a local law enforcement agency.

Effective: July 15, 1982

History: Amended 1982 Ky. Acts ch. 195, sec. 2, effective July 15, 1982. -- Amended 1978 Ky. Acts ch. 93, sec. 7, effective June 17, 1978. -- Amended 1964 Ky. Acts ch. 127, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 528.

KRS 39A.010 Legislative intent -- Necessity.

The General Assembly realizes the Commonwealth is subject at all times to disaster or emergency occurrences which can range from crises affecting limited areas to widespread catastrophic events, and that response to these occurrences is

a fundamental responsibility of elected government in the Commonwealth. It is the intent of the General Assembly to establish and to support a statewide comprehensive emergency management program for the Commonwealth, and through it an integrated emergency management system, in order to provide for adequate assessment and mitigation of, preparation for, response to, and recovery from, the threats to public safety and the harmful effects or destruction resulting from all major hazards, including but not limited to: flood, flash flood, tornado, blizzard, ice storm, snow storm, wind storm, hail storm, or other severe storms; drought, extremes of temperature, earthquake, landslides, or other natural hazards; fire, forest fire, or other conflagration; enemy attack, threats to public safety and health involving nuclear, chemical, or biological agents or weapons; sabotage, riot, civil disorder or acts of terrorism, and other domestic or national security emergencies; explosion, power failure or energy shortages, major utility system failure, dam failure, building collapse, other infrastructure failures; transportation-related emergencies on, over, or through the highways, railways, air, land, and waters in the Commonwealth; emergencies caused by spill or release of hazardous materials or substances; mass-casualty or mass-fatality emergencies; other technological, biological, etiological, radiological, environmental, industrial, or agricultural hazards; or other disaster or emergency occurrences; or catastrophe; or other causes; and the potential, threatened, or impending occurrence of any of these events; and in order to protect life and property of the people of the Commonwealth, and to protect public peace, health, safety, and welfare, and the environment; and in order to ensure the continuity and effectiveness of government in time of emergency, disaster, or catastrophe in the Commonwealth, it is hereby declared to be necessary:

- (1) To create a Division of Emergency Management as the emergency management agency of state government and to authorize the creation of local emergency management agencies in the cities, counties, and urban-county or charter county governments of the Commonwealth;
- (2) To confer upon the Governor, the county judges/executive of the counties, the mayors of the cities and urban-county governments of the Commonwealth, and the chief executive of other local governments the emergency powers provided in KRS Chapters 39A to 39F;
- (3) To establish provisions for mutual aid among the cities, counties, and urban-county or charter county governments of the Commonwealth, with other states, and with the federal government with respect to the performance of disaster and emergency preparedness, response, recovery, and mitigation functions; and
- (4) To authorize the establishment of a statewide comprehensive emergency management program and integrated emergency management system, the promulgation of orders or administrative regulations, and the taking of other steps necessary and appropriate to carry out the provisions of KRS Chapters 39A to 39F.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 226, sec. 1, effective July 15, 1998.

KRS 39A.020 Definitions for KRS Chapters 39A to 39F.

As used in KRS Chapters 39A to 39F, unless the context requires otherwise:

- (1) "Adjutant General" means the executive head of the Department of Military Affairs vested with general direction and control authority for the department and the division of emergency management;
- (2) "Catastrophe" means a disaster or series of concurrent disasters which adversely affect the entire Commonwealth of Kentucky or a major geographical portion thereof;
- (3) "Comprehensive emergency management program" means the public safety program developed, organized, implemented, administered, maintained, and coordinated by the Division of Emergency Management and local emergency management agencies created pursuant to the provisions of KRS Chapters 39A to 39F, to assess, mitigate, prepare for, respond to, or recover from, an emergency, declared emergency, disaster, or catastrophe, or threat of any of those, as contemplated in KRS 39A.010 or as defined in this section;
- (4) "Coordination" means having and exercising primary state or local executive branch oversight for the purpose of organizing, planning, and implementing;
- (5) "Declared emergency" means any incident or situation declared to be an emergency by executive order of the Governor, or a county judge/executive, or a mayor, or the chief executive of other local governments in the Commonwealth pursuant to the provisions of KRS Chapters 39A to 39F;
- (6) "Director" means the director of the Division of Emergency Management of the Department of Military Affairs;
- (7) "Disaster" means any incident or situation declared as such by executive order of the Governor, or the President of the United States, pursuant to federal law;
- (8) "Disaster and emergency response" means the performance of all emergency functions, other than war-related functions for which military forces are primarily responsible, including, but not limited to: direction and control, incident command, or management; communications; fire protection services; police services; medical and health services; ambulance services; rescue; search and rescue or recovery; urban search and rescue; engineering; alerting and warning services; resource management; public works services; nuclear, chemical, biological, or other hazardous material or substance monitoring, containment, decontamination, neutralization, and disposal; emergency worker protection, site safety, site operations and response planning; evacuation of persons; emergency welfare services; emergency transportation; physical plant protection; temporary restoration of public utility services; emergency lighting and power services; emergency public information; incident investigation, hazards analysis, and damage assessment; and other functions related to effective reaction to a disaster or emergency or catastrophe, or the potential, threatened, or impending threat of any disaster or emergency or catastrophe, together with all other activities necessary or incidental to the preparation for and carrying out of the functions set out in this subsection;

- (9) "Division" means the Division of Emergency Management of the Department of Military Affairs;
- (10) "Emergency" means any incident or situation which poses a major threat to public safety so as to cause, or threaten to cause, loss of life, serious injury, significant damage to property, or major harm to public health or the environment and which a local emergency response agency determines is beyond its capabilities;
- (11) "Integrated emergency management system" means the unified and multidisciplinary disaster and emergency response infrastructure developed in the Commonwealth, under the coordination of the division, using methods which align state or local administrative, organizational, and operational resources, to accomplish the mission, goals, and objectives of the comprehensive emergency management program of the Commonwealth;
- (12) "Local disaster and emergency services organization" means that organization of public and private entities developed to carry out the multiagency disaster and emergency response of a city, county, urban-county or charter county pursuant to KRS Chapters 39A to 39F;
- (13) "Local emergency management agency" means the agency created, operated, and maintained to coordinate the local comprehensive emergency management program and disaster and emergency response of a city, county, and urban-county or charter county government pursuant to KRS Chapters 39A to 39F;
- (14) "Local emergency management director" or "Local director" means the executive head of the local emergency management agency, appointed pursuant to the provisions of KRS Chapters 39A to 39F;
- (15) "State emergency management agency" means the Division of Emergency Management of the Department of Military Affairs; and
- (16) "State emergency management director" means the director of the Division of Emergency Management.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 226, sec. 2, effective July 15, 1998.

KRS 39A.030 Rationale and purpose of program -- Division of Emergency Management.

The General Assembly recognizes that the rationale and purpose of the comprehensive emergency management program of the Commonwealth has evolved from a program for response to threats to national security, enemy attack, and other national defense needs, to a program for response to all hazards, but primarily, domestic hazards and threats including natural, man-made, technological, industrial, or environmental emergencies or disasters, for which civil government is primarily responsible. Because of major changes in the rationale and necessity for emergency management capabilities, as well as the urgent requirement for multiagency participation and inter-agency coordination to ensure timely, effective, and appropriate disaster and emergency response in the

Commonwealth, and to otherwise modernize and improve the administration, effectiveness, and relevance of the comprehensive emergency management program for the contemporary needs of the citizens of the Commonwealth, the General Assembly declares:

- (1) A Division of Emergency Management is hereby created as the emergency management agency of state government which shall develop the comprehensive emergency management program of the Commonwealth on behalf of the Governor, and in consultation with the cabinet secretaries of state government, other appropriate state agency heads, local elected chief executives, local emergency management directors, and local emergency planning committees, for the purpose of developing and enhancing comprehensive emergency management program policies, plans, or procedures to provide for a coordinated responsive, and integrated emergency management system in the Commonwealth;
- (2) The division may accept on behalf of the Commonwealth any grant, contribution, or fund, federal or otherwise, made to assist in meeting the costs of carrying out the provisions and purposes of KRS Chapters 39A to 39F, and fully comply with all funding requirements imposed by the receipt and use of the grant, contribution, or fund; and
- (3) The term "Division of Emergency Management" shall constitute and designate the official name of the emergency management agency of state government created pursuant to subsection (1) of this section and "Division of Emergency Management," in the exact order or form as specified in this subsection, shall not be utilized by or assigned to any other agency of state or local government, or other state or local entity, or any political subdivision of the Commonwealth to constitute or designate the official name of any such agency, entity, or political subdivision.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 226, sec. 3, effective July 15, 1998.

KRS 39A.050 Responsibility of division for coordinating disaster and emergency services -- Powers, authorities, and duties.

- (1) The Division of Emergency Management shall coordinate for the Governor all matters pertaining to the comprehensive emergency management program and disaster and emergency response of the Commonwealth. The division shall be the executive branch agency of state government having primary jurisdiction, responsibility, and authority for the planning and execution of disaster and emergency assessment, mitigation, preparedness, response, and recovery for the Commonwealth; the coordination of all disaster and emergency response by and between all state agencies, all agencies of city, county, and urban-county or charter county government, all local entities, and all political subdivisions of the Commonwealth for an emergency, declared emergency, disaster, or catastrophe as contemplated in KRS 39A.010, 39A.020, or 39A.030; the coordination of, and liaison with, related or concerned federal

government agencies, elected officials of other states, private organizations or private sector companies dealing with disaster and emergency response; the coordination of all recovery operations and mitigation initiatives subsequent to disasters or emergencies; and the coordination of all public information activities regarding state government disaster and emergency response operations.

- (2) The Division of Emergency Management shall have and exercise the following powers, authorities, and duties:
 - (a) To develop, administer, and maintain a statewide comprehensive emergency management program for the Commonwealth, and through it an integrated emergency management system for the disaster and emergency response of the Commonwealth, which shall be coordinated with the emergency management programs, and other related public safety, emergency response, mitigation, or disaster recovery programs, of all appropriate federal government agencies including the Federal Emergency Management Agency, the Office of Homeland Security, the State Department, the Federal Aviation Administration, the Centers for Disease Control and Prevention, the Department of Transportation, the Environmental Protection Agency, the Occupational Safety and Health Administration, the Department of Defense, the National Oceanic and Atmospheric Administration, the Department of Justice, the Bureau of Alcohol, Tobacco, and Firearms, the National Transportation Safety Board, the Chemical Safety and Hazard Investigation Board, the Army Corps of Engineers, the National Security Council, the Department of Health and Human Services, the Federal Railroad Administration, the United States Geological Survey, the Department of Energy, the Nuclear Regulatory Commission, the Department of Agriculture, the Department of Housing and Urban Development, the American Red Cross, the other states, and other appropriate public or private agencies, to the fullest appropriate extent;
 - (b) To coordinate the development, implementation, and maintenance of comprehensive emergency management programs by local emergency management agencies in the cities, counties, and urban-county or charter county governments of the Commonwealth to ensure that all such programs, agencies, and organizations are organized, administered, and operated as functional components of the integrated emergency management system of the Commonwealth;
 - (c) To develop and maintain a comprehensive, risk-based, all-hazards disaster and emergency response plan entitled "Kentucky Emergency Operations Plan," the provisions of which shall establish the organizational structure to be utilized by state government for managing disaster and emergency response, and set forth the policies, procedures, and guidelines for the coordination and execution of all disaster and emergency response for an emergency, declared emergency, disaster, or catastrophe in the Commonwealth. The Kentucky Emergency Operations Plan shall be submitted to the Governor for approval when the Governor assumes office

following each gubernatorial election, or at other times as the director deems appropriate. The Governor shall provide written approval of the Kentucky Emergency Operations Plan through issuance of an executive order, and the division shall file a copy of the executive order with the Legislative Research Commission. The Kentucky Emergency Operations Plan shall be the primary strategic disaster and emergency response planning component of the integrated emergency management system of the Commonwealth, and shall be utilized and followed by all state agencies, all local government agencies, all local public agencies or entities, and all other political subdivisions of the Commonwealth which may be involved in disaster and emergency response in the Commonwealth. The Kentucky Emergency Operations Plan shall be updated by the division not less than annually;

- (d) To maintain and operate the State Emergency Operations Center facility, which shall be the official and primary state government twenty-four (24) hour warning point, communications, and command center, from which the Governor, cabinet secretaries, department heads, and other state agency officials can, at any time, rapidly, adequately, and effectively manage the disaster and emergency response of the Commonwealth. The State Emergency Operations Center facility shall be the primary state direction and control component of the integrated emergency management system of the Commonwealth for the coordination of all disaster and emergency response in the Commonwealth;
- (e) To develop, monitor, and operate, on a twenty-four (24) hour per day basis, the appropriate alerting or warning systems, public safety telecommunications systems, or radio networks; any state trunked, fiber, or interactive communication systems; computer, fax, other telecommunications or information networks; and systems needed for communication and coordination with all necessary or appropriate federal, state, or local public safety, law enforcement, emergency management, or other disaster and emergency response agencies, and state or local dispatch centers in the Commonwealth, and other appropriate interests, and through these agencies and systems to receive or disseminate emergency information, or to receive timely notification of, and continual assessment of, all threatened or actual emergency incidents or disaster situations occurring anywhere in or near the Commonwealth;
- (f) To immediately notify the Governor and the adjutant general, in the event of any major emergency incidents or disaster occurrences, or the threatened or impending occurrence of any of these events, and to keep the Governor and the adjutant general informed of all actions being taken in response to these events;
- (g) To respond to the scenes of emergencies or disasters, or their threatened or impending occurrence and to directly and immediately investigate, analyze, and assess the nature and seriousness of these situations; to convene meetings, gather information, conduct briefings, and evaluate ongoing emergency response activities; take actions to execute the

- appropriate provisions of the Kentucky Emergency Operations Plan; coordinate the establishment and operation of a state incident management system; establish or manage sub-state or area emergency operations centers, or on-scene command posts; and fully expedite and coordinate the disaster and emergency response of the Commonwealth;
- (h) To establish and operate area field offices of the division, each office to be headed by an area manager, responsible for administering the policies, plans, programs, and duties of the division in specific geographic areas of the Commonwealth, including the coordination of comprehensive emergency management programs developed by the cities, counties, urban-county, or charter county governments in the areas;
 - (i) To provide funds to the cities, counties, and urban-county or charter county governments of the Commonwealth to support the development, administration, operation, and maintenance of local emergency management agencies created pursuant to KRS Chapters 39A to 39F;
 - (j) To require the regular submission of program administration data, records, materials, reports, or documents from local emergency management agencies as may be necessary and sufficient to conduct performance reviews and assessments to ensure compliance with all state or federal funding and program requirements, and to ensure local program compatibility and consistency with the mission, goals, and objectives of the comprehensive emergency management program and integrated emergency management system of the Commonwealth;
 - (k) To ascertain the requirements of the Commonwealth and its cities and counties for emergency resources and the necessities of life in the event of disaster or emergency; institute an emergency resource management plan and procure emergency supplies, materials, and equipment; and use or employ in time of emergency any of the property, services, and resources of state or local government in the Commonwealth for the purposes set forth in KRS Chapters 39A to 39F;
 - (l) To institute public information and education programs, emergency management training programs, and exercise programs to test and evaluate emergency operations plans and disaster and emergency response and recovery capabilities;
 - (m) To assess the threat of and the Commonwealth's capacity for responding to acts of war or terrorism, including but not limited to nuclear, biological, chemical, agro, eco, electromagnetic pulse, or cyber terrorism;
 - (n) To develop a statewide plan and needs assessment for responding to acts of war or terrorism, including but not limited to nuclear, biological, chemical, agro, eco, electromagnetic pulse, or cyber terrorism;
 - (o) Develop a comprehensive strategy addressing how state and federal funds and other U.S. Department of Justice assistance will be allocated within the state to purchase specialized equipment required to respond to terrorist incidents effectively and safely;
 - (p) Establish as a goal to exceed the minimum requirements established by the

U.S. Department of Justice, under congressional direction, for state and local governments receiving assistance needed to enhance their capabilities to respond to terrorist attacks. This goal is established in order for the Commonwealth to emerge as a preeminent national leader in preparation and training to address terrorist incidents involving weapons of mass destruction; and

- (q) To promulgate administrative regulations to carry out the provisions of KRS Chapters 39A to 39F.

Effective: March 28, 2002

History: Amended 2002 Ky. Acts ch. 82, sec. 3, effective March 28, 2002. -- Created 1998 Ky. Acts ch. 226, sec. 5, effective July 15, 1998.

KRS 39A.060 Nature and scope of comprehensive program -- Director under direction of adjutant general.

The General Assembly recognizes that the nature and scope of the activities necessary to develop and to administer a statewide comprehensive emergency management program, together with an integrated emergency management system requires the full support, cooperation, and active participation of all cabinets, departments, divisions, offices, or agencies of state government, local elected officials, local public agencies or entities, special districts, political subdivisions of the Commonwealth, volunteer organizations, individual citizens, and the private sector in this Commonwealth. To provide effective executive leadership for a program area of such broad scope and to ensure the professional administration of the comprehensive emergency management program and integrated emergency management system of the Commonwealth, the General Assembly declares:

- (1) The Division of Emergency Management shall be headed by a director recommended by the Adjutant General and appointed by the Governor; and
- (2) The director shall have the powers, rights, responsibilities, and authorities, as provided in KRS Chapters 39A to 39F, or other laws, and shall carry out all duties under the general direction of the Adjutant General of the Department of Military Affairs.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 226, sec. 6, effective July 15, 1998.

KRS 39A.070 Powers, responsibilities, and duties of director.

The director, with the approval of the adjutant general, shall exercise the following powers, responsibilities, and duties:

- (1) To represent the Governor on all matters pertaining to the comprehensive emergency management program and the disaster and emergency response of the Commonwealth;

- (2) To coordinate the development of a statewide comprehensive emergency management program, and through it, an integrated emergency management system for the disaster and emergency response of the Commonwealth;
- (3) To promulgate administrative regulations and issue orders, directives, standards, rules, procedures, guidance, or recommended practices necessary to coordinate the development, administration, organization, operation, implementation, and maintenance of the statewide comprehensive emergency management program and the integrated emergency management system of the Commonwealth;
- (4) To coordinate the development of comprehensive emergency management programs by the cities, counties, and urban-county or charter county governments as functional components of the integrated emergency management system of the Commonwealth;
- (5) To supervise the development and maintenance of the Kentucky Emergency Operations Plan, and to review and give concurrence to local emergency operations plans required pursuant to KRS Chapters 39A to 39F;
- (6) To coordinate the comprehensive emergency management program of the Commonwealth with the emergency management or other emergency response related programs of the federal government, and of other states, to the fullest appropriate extent;
- (7) To advise the Governor and the adjutant general immediately of the occurrence or threatened or impending occurrence of any disaster or emergency, and to recommend to the Governor any emergency actions, written orders, emergency powers, or executive orders that the Governor should execute;
- (8) To serve as the Governor's primary liaison with local officials in the event of the occurrence, or threatened or impending occurrence, of any disaster or emergency in the cities, counties, urban-counties, or charter counties of the Commonwealth;
- (9) To take any other preparedness or response actions deemed necessary for adequate response to a disaster or emergency situation to include: requesting increased readiness activities by state or local agencies in advance of an actual disaster or emergency; requesting implementation of local emergency operations plans or the activation of local emergency operations centers; requesting reports from state or local agencies regarding emergency situations, damage assessments, or the taking of emergency response actions; and requesting the mobilization or deployment of any trained and equipped forces of state or local government for the disaster and emergency response purposes set forth in KRS Chapters 39A to 39F;
- (10) To request and utilize the personnel, equipment, services, and facilities of existing officers and agencies of the Commonwealth and of all political subdivisions and special districts. All these officers and agencies shall fully cooperate with and extend their resources to the director as requested to the extent that local public safety is not unreasonably compromised;
- (11) To employ measures and give directions to the state or local boards of health as necessary for the purpose of securing compliance with the provisions of

- KRS Chapters 39A to 39F, or with the findings or recommendations of the boards of health, because of conditions arising from disasters, emergency situations, national security emergencies, or the threat thereof;
- (12) To request and utilize the services of state and local law enforcement officers for the purpose of securing compliance with the provisions of KRS Chapters 39A to 39F, or any order of the Governor pertaining to disaster and emergency response;
 - (13) On behalf of this Commonwealth, with the approval of the Governor or act of the General Assembly, to enter into reciprocal aid agreements or compacts with other states and the federal government, either on a statewide, local, county, or city basis, or with other states or a province of a foreign country. The mutual aid agreements shall be limited to the furnishing or exchange of food, clothing, medicine, and other supplies; engineering services; emergency housing; police services; National Guard personnel and resources while under the control of the state; health, medical, and related services; firefighting; rescue; search and rescue or recovery; urban search and rescue; hazardous materials response services, transportation and construction services and equipment; personnel necessary to provide or conduct these services and other supplies, equipment, facilities, personnel, and services as needed; the reimbursement of costs and expenses for equipment, supplies, personnel, and similar items for mobile support units, firefighting, search and rescue, and police units, and health units; and on the terms and conditions deemed necessary;
 - (14) To sponsor and develop mutual aid plans and agreements among the urban-county or charter county governments, counties, cities, and other political subdivisions and special districts of the Commonwealth, similar to the mutual aid arrangements with other states referred to in subsection (13) of this section;
 - (15) To procure motor vehicles, radio and telecommunications equipment, protective clothing, safety equipment, and other necessary supplies and materials to meet the emergency response, operational, and administrative needs of the division;
 - (16) To identify deficiencies existing in the emergency management program organization, facilities, and capabilities of the Commonwealth, including but not limited to: personnel and administrative resources; state, sub-state, area, or local emergency operations centers; mobile command posts; emergency telecommunications and computer systems; alerting and warning systems; stockpiles of critical resources; or any other necessary elements, and to recommend to the adjutant general, for consideration by the Governor or the General Assembly or other appropriate funding authority, the administrative or operational funding requirements, and long-range capital construction or improvement projects needed to meet the emergency management infrastructure needs of the Commonwealth;
 - (17) To serve as the state coordinating officer and notify the Governor of the appropriations necessary to fund the expected emergency operational or response costs of the division, and the Commonwealth's share of the grants

provided by Pub.L.No. 93-288, Title V, Federal Disaster Assistance Programs as amended by Pub.L.No. 100-707, the Robert T. Stafford Disaster Relief and Emergency Assistance Act, or successor acts or titles, and further, take action necessary to ensure entitlement to all other federal relief or assistance programs;

- (18) To cooperate with the President of the United States, the Federal Emergency Management Agency, and other appropriate federal offices and agencies, and the offices and agencies of other states in matters pertaining to the comprehensive emergency management program of the Commonwealth and nation; and in connection with these, to take any measures considered necessary to implement any request of the President and the appropriate federal offices and agencies, for any action requiring effective disaster and emergency response, including the direction or control and mobilization of disaster and emergency response forces; tests and exercises, warnings, and signals for drills or other emergency response activities and the mechanical devices to be used in connection with these; the shutting off of water mains, gas mains, electric power connections, and the suspension of all other utility services; the conduct of civilians and the movement and cessation of movement of pedestrians and vehicular traffic during, prior, and subsequent to a drill, emergency, declared emergency, or disaster; public meetings or gatherings; and the evacuation and sheltering of the civilian population;
- (19) To develop a statewide plan and needs assessment for responding to acts of war or terrorism, including nuclear, biological, chemical, agro, eco, electromagnetic pulse, or cyber terrorism; and
- (20) To delegate any authority vested in the director under KRS Chapters 39A to 39F and to provide for the subdelegation of any such authority.

Effective: March 28, 2002

History: Amended 2002 Ky. Acts ch. 82, sec. 4, effective March 28, 2002. -- Created 1998 Ky. Acts ch. 226, sec. 7, effective July 15, 1998.

KRS 39A.150 Traffic control plans -- Executive orders.

- (1) The Kentucky Emergency Operations Plan and local emergency operations plans shall include measures for, and the Governor for the state or portion thereof, the county judge/executive for a county other than an urban-county, or a portion thereof, and the mayor for a city or an urban-county or portion thereof, may issue written executive orders providing for:
 - (a) The control of traffic in order to provide for rapid and safe movement in evacuation over public highways and streets during any disaster or emergency;
 - (b) The control and alteration of speed limits and traffic regulations on public highways during any disaster or emergency; and
 - (c) The prohibition or limitation of use of motor vehicles on public highways during any disaster or emergency.

- (2) The Governor may extend the provisions of subsection (1) of this section to the public thoroughfares of any political subdivision of the Commonwealth.
- (3) The Governor may order agencies of state government and political subdivisions of the Commonwealth to take steps necessary to effectuate plans made or orders issued pursuant to this section.
- (4) During a declared emergency or disaster, the Governor, county judge/executive, or mayor, may, for their respective jurisdictions, place these plans in effect.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 226, sec. 14, effective July 15, 1998.

KRS 39A.160 Witnesses -- Production of records and documents.

For the purpose of making surveys and investigations and obtaining information which may be necessary to the operation or enforcement of KRS Chapters 39A to 39F, the Governor, or the director with the written approval of the Governor, may compel by subpoena the attendance of witnesses, and the production of books, papers, records, and documents of individuals, firms, associations, and corporations. All officers, boards, commissions, and divisions of the state, the political subdivisions thereof, and special districts, having information which is the subject of the investigation, shall cooperate with and assist the Governor or the director in making the investigation and surveys.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 226, sec. 15, effective July 15, 1998.

KRS 39A.220 Agency emergency operations procedures.

- (1) Each agency, board, or commission of state government, unless the requirement is waived, in writing, by the director, shall develop agency emergency operations procedures which are consistent with and which meet the requirements of the Kentucky Emergency Operations Plan. The agency emergency operations procedures shall be updated not less than yearly.
- (2) Each agency, board, or commission of state government shall take those measures necessary to ensure that it can continue to operate during times of disaster or emergency, that it can protect its vital records, and that it has designated at least four (4) persons, preferably by title, who may act for the agency, and for its major component operations, during an emergency or disaster if the primary person with the power to make necessary decisions is unavailable for any reason.
- (3) In carrying out the provisions of subsections (1) and (2) of this section, each agency, board, or commission of state government shall follow the general planning guidance of the division and the requirements of administrative regulations promulgated by the division.

- (4) Each agency, board, or commission of state government shall train its employees with regard to the contents of the agency emergency operations procedures, and shall give any additional training necessary to implement the procedures during times of emergency or disaster.
- (5) Each agency, board, or commission of state government shall, upon request of the director, send an employee of the agency with full authority to take any action on behalf of the agency to the State Emergency Operations Center, area offices of the division, state command posts or other designated location during periods of emergency or disaster.
- (6) As used in this section, agency, board, or commission means all agencies, unless the requirement is waived, in writing, by the director, listed in KRS 12.020, other state bodies created by executive order of the Governor, the Legislative Research Commission, and the Court of Justice and its agencies.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 226, sec. 21, effective July 15, 1998.

KRS 39A.230 Procedures for one multi-risk, multi-agency, unified incident command or management system.

- (1) The Kentucky Emergency Operations Plan shall include procedures for one multirisk, multiagency, unified incident command or management system to be used by all state agencies responding to the scene of an emergency, declared emergency, disaster, or catastrophe, as contemplated by KRS 39A.010, 39A.020, or 39A.030.
- (2) Local emergency operations plans shall include procedures for:
 - (a) An incident command or management system to be used by individual local agencies or departments when responding to the scene of day-to-day, routine emergency incidents; and
 - (b) One unified incident command or management system to be used by all local agencies or departments when responding to the scene of a multiagency or multijurisdictional emergency, declared emergency, disaster, or catastrophe, as contemplated by KRS 39A.010, 39A.020, or 39A.030.
- (3) All incident command or management system procedures required pursuant to subsections (1) or (2) of this section shall be based upon or utilize the five (5) functions of: command, operations, planning, logistics, and finance.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 226, sec. 22, effective July 15, 1998.

KRS 39A.240 State Emergency Operations Center -- Agency representatives.

- (1) The division shall maintain the State Emergency Operations Center and those

alternate locations deemed necessary, and shall activate the State Emergency Operations Center when deemed necessary by the director, the Adjutant General, or the Governor.

- (2) Each cabinet of state government, and each independent agency of state government, and other organizations provided for in the Kentucky Emergency Operations Plan shall immediately send a designated person to the State Emergency Operations Center upon request of the director, during a time of emergency or disaster or the threatened or impending happening of such an incident. They shall remain at the State Emergency Operations Center until relieved and replaced, unless released by the director.
- (3) Persons representing agencies of state government or other organizations assigned to the State Emergency Operations Center during times of emergency or disaster or the threatened or impending happening thereof may obligate the funds, equipment, and personnel of the organization which they represent, and make decisions on behalf of the organization which they represent.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 226, sec. 23, effective July 15, 1998.

KRS 39A.280 Nature of disaster and emergency response functions provided by state or local management agency -- Immunity, exceptions.

- (1) Disaster and emergency response functions provided by a state or local emergency management agency, or any emergency management agency-supervised operating units or personnel officially affiliated with a local disaster and emergency services organization pursuant to KRS 39B.070, shall not, in itself, be deemed to be the making of a promise, or the undertaking of a special duty, towards any person for the services, or any particular level of, or manner of providing, the services; nor shall the provision of or failure to provide these services be deemed to create a special relationship or duty towards any person upon which an action in negligence or other tort might be founded. Specifically:
 - (a) The failure to respond to a disaster or other emergency, or to undertake particular inspections or types of inspections, or to maintain any particular level of personnel, equipment, or facilities, shall not be a breach of any duty to persons affected by any disaster or other emergency.
 - (b) When a state or local emergency management agency, or local emergency management agency-supervised operating unit officially affiliated with a local disaster and emergency services organization, does undertake to respond to a disaster or other emergency, the failure to provide the same level or manner of service, or equivalent availability or allocation of resources as may or could be provided, shall not be a breach of any duty to persons affected by that disaster or other emergency.

- (c) A state or local emergency management agency, or local emergency management agency-supervised operating unit officially affiliated with a local disaster and emergency services organization shall not have or assume any duty towards any person to adopt, use, or avoid any particular strategy or tactic in responding to a disaster or other emergency.
 - (d) A state or local emergency management agency, or local emergency management agency-supervised operating unit officially affiliated with a local disaster and emergency services organization, in undertaking disaster and emergency preparedness or prevention activities including inspections, or in undertaking to respond to a disaster or other emergency, shall not have voluntarily assumed any special duty with respect to any risks which were not created or caused by it, nor with respect to any risks which might have existed even in the absence of that activity or response, nor shall any person have a right to rely on such an assumption of duty.
- (2) Neither the state nor any political subdivision of the state, nor the agents or representatives of the state or any of its political subdivisions, shall be liable for personal injury or property damage sustained by any person appointed or acting as a volunteer emergency management agency member, or disaster and emergency services member, or disaster and emergency response worker, or member of any agency engaged in any emergency management or disaster and emergency services or disaster and emergency response activity. The immunity provided by this subsection shall not apply to the extent that the state, a political subdivision of the state, or a person or organization maintains liability insurance or self-insurance for an act or omission covered by this subsection. To the extent that the state, a political subdivision of the state, or a person or an organization maintains liability insurance or self-insurance, sovereign immunity shall not be claimed with regard to an act or omission covered by this subsection. This immunity shall not affect the right of any person to receive benefits or compensation to which the person might otherwise be entitled under the Workers' Compensation Law, or this chapter, or any pension law, or any Act of Congress.
- (3) Subject to subsection (6) of this section, neither the state nor any political subdivision of the state nor, except in cases of willful misconduct, gross negligence, or bad faith, the employees, agents, or representatives of the state or any of its political divisions, nor any volunteer or auxiliary emergency management agency or disaster and emergency services organization member or disaster and emergency response worker or member of any agency engaged in any emergency management or disaster and emergency services or disaster and emergency response activity, complying with or reasonably attempting to comply with this chapter or any order or administrative regulation promulgated pursuant to the provisions of this chapter, or other precautionary measures enacted by any city of the state, shall be liable for the death of or injury to persons, or for damage to property, as a result of that activity. The immunity provided by this subsection shall not apply to the extent that the

state, a political subdivision of the state, or a person or organization maintains liability insurance or self-insurance for an act or omission covered by this subsection. To the extent that the state, a political subdivision of the state, or a person or an organization maintains liability insurance or self-insurance, sovereign immunity shall not be claimed with regard to an act or omission covered by this subsection.

- (4) Decisions of the director, his subordinates or employees, a local emergency management director, or the local director's subordinates or employees, a rescue chief or the chief's subordinates, concerning the allocation and assignment of personnel and equipment, and the strategies and tactics used, shall be the exercise of a discretionary, policy function for which neither the officer nor the state, county, urban-county, charter county, or city, or local emergency management agency supervised operating unit formally affiliated with a local disaster and emergency services organization, shall be held liable in the absence of malice or bad faith, even when those decisions are made rapidly in response to the exigencies of an emergency.
- (5) Any person owning or controlling real estate or other premises who voluntarily and without compensation grants a license or privilege, or otherwise permits the designation or use of the whole or any part of the real estate or premises for the purpose of sheltering persons during an actual, impending, mock, or practice disaster or emergency, together with his or her successors in interest, shall not be civilly liable for negligently causing the death of, or injury to, any person on or about the real estate or premises for loss of, or damage to, the property of that person. The immunity provided by this subsection shall not apply to the extent that the state, a political subdivision of the state, or a person or organization maintains liability insurance or self-insurance for an act or omission covered by this subsection. To the extent that the state, a political subdivision of the state, or a person or organization maintains liability insurance or self-insurance, sovereign immunity shall not be claimed with regard to an act or omission covered by this subsection.
- (6) Subsection (3) of this section shall apply to a volunteer or auxiliary disaster and emergency response worker only if the volunteer or worker is enrolled or registered with a local disaster and emergency services organization or with the division in accordance with the division's administrative regulations.
- (7) While engaged in disaster and emergency response activity, volunteers and auxiliary disaster and emergency response workers enrolled or registered with a local disaster and emergency service organization or with the division in accordance with subsection (6) of this section shall have the same degree of responsibility for their actions and enjoy the same immunities as officers and employees of the state and its political subdivisions performing similar work, including the provisions of KRS 12.211, 12.212, and 12.215, allowing the Attorney General to provide defense of any civil action brought against a volunteer enrolled or registered with a local disaster or emergency service organization or with the division due to an act or omission made in the scope and course of a disaster and emergency response activity.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 488, sec. 2, effective July 15, 1998, superseding 1998 Ky. Acts ch. 226, sec. 24, effective July 15, 1998.

KRS 70.150 Sheriff to patrol roads -- Record of accidents.

- (1) The sheriff of each county and his deputies shall patrol all public roads in his county, and direct, regulate and control the traffic on such roads so as to maintain a maximum degree of safety.
- (2) He shall, as soon as possible, after receiving information of their occurrence, investigate all accidents and wrecks occurring upon the roads. When possible, he shall determine the position of each of the vehicles connected therewith immediately before and after each accident or wreck. Where accidents or wrecks appear to have been made by the vehicles or by the parties owning, operating or occupying the vehicles at the time of the accident or wreck, he shall make a record of the measurement, direction and location of all tracks and visible impressions made on and about the road that have a tendency to disclose the cause of the accident. He shall make a record in his office of his observations and findings. He shall ascertain, if possible, the license number of each of the vehicles connected therewith, the number of each engine and the make of each vehicle, the name of the state, territory, district, department and county issuing the license, the name and address of the owner or operator of the vehicle, the name and address of each occupant of the vehicles, the name and address of each witness, and the name and address of each person who immediately thereafter came upon the ground or who saw evidence of the position of the vehicles immediately before or after the accident or wreck, or who heard a statement made by the parties owning or occupying either vehicle as to how or who caused the accident or wreck.
- (3) When any person is wounded or killed, or there is reason to believe that criminal negligence or carelessness was the cause of the accident or wreck, the officer making the inspection, shall take affidavits or statements from all witnesses who have information of incriminating facts connected therewith. For the purpose of securing affidavits or statements, each sheriff and deputy may upon his own initiative, issue and serve a subpoena upon witnesses requiring them to testify, and may administer an oath to each witness before testifying, and may reduce the testimony to writing. The sheriff shall return the affidavits and statements, together with a report in writing of all information required, to the county attorney and a duplicate of the report and statements or affidavits to the circuit clerk for submission to the grand jury next to be convened in his county.

Effective: October 1, 1942

History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 3786-2.

KRS 174.065 Traffic safety.

The cabinet shall:

- (a) Assist the Department of State Police in coordinating all efforts of the state's various departments and agencies to promote traffic safety and in making recommendations regarding the prevention of unnecessary duplications of these efforts, and;
- (b) Cooperate with all organizations, public or private, in the encouragement and promotion of traffic safety education in all forms, and;
- (c) Receive, control and expend, in accordance with the general provisions of the Kentucky Revised Statutes governing financial administration of all state agencies, grants and funds from either public or private sources.

Effective: July 13, 1984

History: Amended 1984 Ky. Acts ch. 404, sec. 18, effective July 13, 1984. -- Created 1974 Ky. Acts ch. 74, Art. IV, sec. 12.

KRS 174.135 Office of Transportation Operations Center.

The executive director of the Office of the Transportation Operations Center shall be responsible for statewide transportation emergency and critical incident information and systems control. The executive director:

- (1) Shall be directly responsible and report to the secretary; and
- (2) May, with the approval of the secretary, employ the staff necessary to perform the duties, functions, and responsibilities of the office.

Effective: June 24, 2003

History: Created 2003 Ky. Acts ch. 7, sec. 3, effective June 24, 2003.

KRS 177.020 State primary roads to be designated and controlled by the Department of Highways -- Notice to fiscal court and affected citizens -- Definition of rural and secondary roads -- Transfer of county roads to rural secondary system.

- (1) The state primary road system shall consist of such public roads and city streets within the state as the Department of Highways determines shall be established, constructed, or maintained by the Department of Highways.
- (2) The department shall, in its discretion, determine which public roads, or city streets, shall be established, constructed, or maintained by it, and shall determine the type of construction or maintenance for that road or city street.
- (3) In the establishment of the state primary road system, the Department of Highways is authorized to select new routes, deviate from an existing route whenever it deems such deviation proper, eliminate from the state primary

system roads or city streets which have been replaced as proper part of the system by the construction of a new facility or the selection of a new route. No permanent ingress or egress ramp of the state primary road system on fully controlled access facilities shall be closed, except for repairs, unless a public hearing is first held in the area to be affected by the closing. The Department of Highways shall, at least twenty (20) days before the hearing, advertise in a newspaper of general circulation in the area to be affected by the closing, the date, time, and place of the hearing.

- (4) Prior to the advertisement for bids on any highway construction project, the Department of Highways shall meet with the fiscal court in the jurisdiction of the construction project for the purpose of advising the fiscal court of any state road or road segment which the department may seek to eliminate from the state primary road system upon completion of that highway construction project. The requirement of this subsection shall be in addition to the requirements of subsection (5) of this section.
- (5) The department shall notify the fiscal court of the county at least four (4) months before it eliminates a road, road segment, bridge, or street in that county from the state primary road system. Upon receiving notice, the fiscal court may reject title and notify the department that the road shall not become part of the county road system. If the fiscal court declines, the department shall give notice to all private persons entitled to a necessary access over this road of their rights under this chapter; and, by petition of any private party entitled to such access, the road shall be deemed a discontinued state road and shall be closed to public use but remain open in accordance with its condition and use for the access of the private parties involved. In the absence of such petition, title shall be transferred to the owner or owners of the tract or tracts of land to which the road originally belonged.
- (6) As used in this section, the term "rural secondary roads" shall mean such system of roads in this state which are usually considered farm to market roads and that were classified as part of the rural secondary road system by the Department of Highways on January 1, 1986. By January 1, 1987, the Department of Rural and Municipal Aid shall meet with the fiscal courts in each of the counties to receive recommendations regarding the transfer of roads, included as part of the county road system on January 1, 1986, to the rural secondary system. Prior to such meeting with the Department of Rural and Municipal Aid, the fiscal court shall consult with the legislative bodies of municipalities within the county regarding their recommendations for the transfer of county roads located within the jurisdiction of the municipality. On July 1, 1987, the Transportation Cabinet shall by official order accept at least two thousand (2,000) miles of roads in the county road system into the rural secondary system. In accepting such roads into the rural secondary system, the Transportation Cabinet shall accept in each county at least seventy-five percent (75%) of the total number of miles in each county determined by multiplying the total number of county road miles accepted in the rural secondary system by the percentage of county road aid funds received in each county in fiscal year 1984-85 compared to the total amount of county road aid

funds generated in fiscal year 1984- 85. The determination of the total funds received by each county from the county road aid program in fiscal year 1984-85 and the total amount of county road aid funds generated in fiscal year 1984-85 shall be made by the Department of Rural and Municipal Aid. The roads so transferred shall be maintained with the proceeds of the provisions of KRS 177.320(1) and in no case shall the rural secondary system, as defined in this subsection, be less than eleven thousand eight hundred (11,800) miles.

- (7) The establishment, construction, or maintenance of the state primary road system shall be under the direction and control of the Department of Highways. The commissioner of highways is authorized to adopt regulations necessary to the administration of this authority.

Effective: July 14, 1992

History: Amended 1992 Ky. Acts ch. 80, sec. 1, effective July 14, 1992. -- Amended 1986 Ky. Acts ch. 174, sec. 18, effective July 15, 1986. -- Amended 1980 Ky. Acts ch. 243, sec. 1, effective July 15, 1980. -- Amended 1974 Ky. Acts ch. 74, Art. IV, sec. 20(1). -- Amended 1972 Ky. Acts ch. 242, sec. 1. -- Created 1964 Ky. Acts ch. 23, secs. 2 and 3.

History for former KRS 177.020: Repealed 1964 Ky. Acts ch. 23, sec. 3. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 4356t-5, 4356t-17-2a, 4356t-17-2b, 4356t-17-2c, 4356t-17-2d.

KRS 189.231 State maintained highways -- Restriction and regulation of traffic.

- (1) The secretary of transportation may install and maintain traffic control devices upon state-maintained highways in such manner as is reasonably necessary to promote the safety and convenience of the traveling public.
- (2) The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle.
- (3) The secretary of transportation may restrict or regulate traffic upon state-maintained highways in such a manner as is reasonably necessary to promote the safety of the traveling public.

Effective: April 10, 1988

History: Amended 1988 Ky. Acts ch. 347, sec. 1, effective April 10, 1988. -- Amended 1966 Ky. Acts ch. 255, sec. 178. -- Created 1952 Ky. Acts ch. 206, sec. 1.

KRS 189.232 Definition of "highway work zone."

As used in this section, KRS 189.2325, 189.2329, 189.390, and 189.394, "highway work zone" means that lane or portion of a state-maintained highway open to vehicular traffic and the affected area adjacent to a lane, berm, or shoulder of a state-maintained highway upon which construction, reconstruction, resurfacing, or other work of that nature is being conducted.

Effective: July 15, 1996

History: Created 1996 Ky. Acts ch. 37, sec. 1, effective July 15, 1996.

KRS 189.2325 Posting of signs advising motorists of increased traffic penalties in state highway work zones.

The secretary of the Transportation Cabinet shall promulgate administrative regulations pursuant to KRS Chapter 13A governing the posting of signs advising motorists that penalties are increased for traffic violations occurring on state-maintained streets or statemaintained highways in a highway work zone. The administrative regulations promulgated by the cabinet shall include guidelines to determine which areas are appropriate to the posting of these signs. The guidelines may include, but are not limited to, the following:

- (1) The duration of the work on the highway;
- (2) The proximity of workers to moving traffic;
- (3) The existence of any unusual or hazardous conditions;
- (4) The volume of traffic on the highway; and
- (5) Other appropriate factors as determined by the secretary.

Effective: July 15, 1996

History: Created 1996 Ky. Acts ch. 37, sec. 2, effective July 15, 1996.

KRS 189.450 Stopping, standing, or repairing vehicle on roadway or shoulders of highway.

- (1) No person shall stop a vehicle, leave it standing or cause it to stop or to be left standing upon any portion of the roadway; provided, however, that this section shall not be construed to prevent parking in front of a private residence off the roadway or street in a city or suburban area where such parking is otherwise permitted, as long as the vehicle so parked does not impede the flow of traffic. This subsection shall not apply to:
 - (a) A vehicle that has been disabled on the right-of-way of such a highway in such a manner and to such extent that it is impossible to avoid the occupation of the shoulder of a state-maintained highway or impracticable to remove it from the shoulder of the highway until repairs have been made or sufficient help obtained for its removal. In no event shall a disabled vehicle remain on the shoulder of a state-maintained highway for twenty-four (24) hours or more;
 - (b) Motor vehicles when required to stop in obedience to the provisions of any section of the Kentucky Revised Statutes or any traffic ordinance, regulation or sign or the command of any peace officer;
 - (c) Vehicles operating as common carriers of passengers for hire and school buses taking passengers on such vehicle or discharging passengers there from, provided that no such vehicle shall stop for

such purposes at a place on the highway which does not afford reasonable visibility to approaching motor vehicles from both directions; or

- (d) Any vehicle required to stop by reason of an obstruction to its progress.
- (2) When any police officer finds a vehicle standing upon such a highway in violation of this section, he may move or cause to be moved the vehicle, or require the operator or other person in charge of the vehicle to move it. The police officer may cause the vehicle to be removed by ordering any person engaged in the business of storing or towing motor vehicles to remove the vehicle to a site chosen by such person. Ownership of the vehicle shall be determined by the police officer's enforcement agency through the vehicle's license plates, serial number or other means of determining ownership. As soon as practicable, the police officer's enforcement agency shall notify the owner by mail that the vehicle was illegally upon public property; the name and address of the storage facility where the vehicle is located; that removal of the vehicle from the storage facility will involve payment of towing and storage charges; and that the vehicle may be sold pursuant to the provisions of KRS 376.275 if not claimed within sixty (60) days. No notification shall be required if ownership cannot be determined. In the event of a sale pursuant to KRS 376.275, the state shall receive any proceeds after the satisfaction of all liens placed on the vehicle.
- (3) No vehicle shall be parked, stopped, or allowed to stand on the shoulders of any toll road, interstate highway, or other fully controlled access highway, including ramps thereto, nor shall any vehicle registered at a gross weight of over forty-four thousand (44,000) pounds be parked, stopped or allowed to stand on the shoulders of any state-maintained highway except that in the case of emergency, or in response to a peace officer's signal, vehicles shall be permitted to stop on the shoulders to the right of the traveled way with all wheels and projecting parts of the vehicles, including the load, completely clear of the traveled way. Parking of any vehicle which is disabled on the shoulders of a toll road, interstate highway, other fully controlled access highway, including ramps thereto, or any state-maintained highway not mentioned in this section for twenty-four (24) hours continuously is prohibited and vehicles violating this provision may be towed away at the cost of the owner.
- (4) When any police officer finds a vehicle unattended upon any bridge or causeway or in a tunnel where the vehicle constitutes an obstruction to traffic, the officer may provide for the removal of the vehicle to the nearest garage or other place of safety as provided in subsection (2) of this section.
- (5) No person shall stop or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in the following places:
 - (a) On a sidewalk;
 - (b) In front of sidewalk ramps provided for persons with disabilities;
 - (c) In front of a public or private driveway;

- (d) Within an intersection;
 - (e) At any place where official signs prohibit stopping or parking; or
 - (f) Within thirty (30) feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway.
- (6) No person shall move a vehicle not lawfully under his control into any such prohibited area.
- (7) The restrictions in subsection (5)(e) of this section shall not apply to sheriffs and their deputies or police officers when operating properly identified vehicles during performance of their official duties.

Effective: July 15, 1994

History: Amended 1994 Ky. Acts ch. 405, sec. 39, effective July 15, 1994. -- Amended 1988 Ky. Acts ch. 80, sec. 1, effective July 15, 1988. -- Amended 1986 Ky. Acts ch. 322, sec. 1, effective July 15, 1986. -- Amended 1982 Ky. Acts ch. 318, sec. 1, effective July 15, 1982. -- Amended 1980 Ky. Acts ch. 163, sec. 1, effective July 15, 1980. -- Amended 1974 Ky. Acts ch. 405, sec. 1. -- Amended 1970 Ky. Acts ch. 93, sec. 11. -- Amended 1964 Ky. Acts ch. 25, sec. 1. -- Amended 1962 Ky. Acts ch. 288, sec. 2. -- Amended 1954 Ky. Acts ch. 235, sec. 1. -- Amended 1952 Ky. Acts ch. 206, sec. 3. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2739g-48.

KRS 189.580 Duty in case of accident.

- (1) The operator of any vehicle, whose vehicle, vehicle load, or vehicle equipment which is involved in an accident resulting in injury to or death of any person or resulting only in damage to a vehicle or other property which is driven or attended by any person shall immediately stop and ascertain the extent of the injury or damage and render reasonable assistance, including the carrying, or making of arrangements for the carrying, of such person to a physician, surgeon, or hospital for medical or surgical treatment if it is apparent that such treatment is necessary, or if such carrying is requested by the injured person. The operator or person having or assuming authority of the operator, or ownership of the vehicle, shall give the occupant of the vehicle, or person struck, if requested, the registration number of the vehicle, if any, and also the names and addresses of the owner, the occupants and operator. The total names need not exceed five (5) in number.
- (2) The operator of any vehicle which collides with or is involved in an accident with any vehicle or other property which is unattended resulting in any damage to such other vehicle or property shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle or other property of his name, address, and the registration number of the vehicle he is driving or shall attach securely in a conspicuous place in or on such vehicle or other property a written notice giving his name, address, and the registration number of the vehicle he is driving, or shall file a report with the local police department.
- (3) The operator of a vehicle involved in an accident in subsection (1) or (2) above resulting in injury to or death of any person or in which total property

damage of five hundred dollars (\$500) or more is sustained shall, within ten (10) days, report the matter in writing to the Justice Cabinet.

Effective: July 13, 1990

History: Amended 1990 Ky. Acts ch. 94, sec. 2, effective July 13, 1990. -- Amended 1978 Ky. Acts ch. 83, sec. 2, effective June 17, 1978; and ch. 434, sec. 7, effective June 17, 1978. -- Amended 1976 Ky. Acts ch. 133, sec. 23. -- Amended 1974 Ky. Acts ch. 74, Art. IV, sec. 20(10). -- Amended 1972 Ky. Acts ch. 64, sec. 2. -- Amended 1958 Ky. Acts ch. 126, sec. 24. -- Amended 1952 Ky. Acts ch. 151, sec. 2. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2739g-53, 2739g-69x, 2739g-69y.

Legislative Research Commission Note (6/17/78). This section was amended by 1978 Ky. Acts chs. 83 and 434, part of which are in conflict and cannot be compiled together. Effect has been given to all provisions except for the conflicting provision in subsection (3), in which the later amendment by 1978 Ky. Acts ch. 434, sec. 7, prevails.

KRS 189.635 Vehicle accident reports by operators, law enforcement officers, and agencies -- Availability to parties to accident and news-gathering organizations.

- (1) The Justice Cabinet, Department of State Police, shall be responsible for maintaining a reporting system for all vehicle accidents which occur within the Commonwealth. Such accident reports shall be utilized for such purposes as will improve the traffic safety program in the Commonwealth involving the collection, processing, storing, and dissemination of such data and the establishment of procedures by administrative regulations to insure that uniform definitions, classifications, and other federal requirements are in compliance.
- (2) Any person operating a vehicle on the highways of this state who is involved in an accident resulting in fatal or nonfatal personal injury to any person or damage to the vehicle rendering the vehicle inoperable shall be required to immediately notify a law enforcement officer having jurisdiction. In the event the operator fails to notify or is incapable of notifying a law enforcement officer having jurisdiction, such responsibility shall rest with the owner of the vehicle or any occupant of the vehicle at the time of the accident. A law enforcement officer having jurisdiction shall investigate the accident and file a written report of the accident with his law enforcement agency.
- (3) Every law enforcement agency whose officers investigate a vehicle accident of which a report must be made as required in this chapter shall file a report of the accident with the Department of State Police within ten (10) days after investigation of the accident upon forms supplied by the department.
- (4) Any person operating a vehicle on the highways of this state who is involved in an accident resulting in any property damage exceeding five hundred dollars (\$500) in which an investigation is not conducted by a law enforcement officer shall file a written report of the accident with the Department of State Police within ten (10) days of occurrence of the accident upon forms provided by the department.

- (5) All accident reports filed with the Department of State Police in compliance with subsection (4) above shall remain confidential except that the department may disclose the identity of a person involved in an accident when his identity is not otherwise known or when he denies his presence at an accident. Except as provided in subsection (7) of this section, all other accident reports required by this section, and the information contained in the reports, shall be confidential and exempt from public disclosure except when produced pursuant to a properly executed subpoena or court order, or except pursuant to subsection (6) of this section. These reports shall be made available only to the parties to the accident, the parents or guardians of a minor who is party to the accident, and the insurers of any party who is the subject of the report, or to the attorneys of the parties.
- (6) The report shall be made available to a news-gathering organization, solely for the purpose of publishing or broadcasting the news. The news-gathering organization shall not use or distribute the report, or knowingly allow its use or distribution, for a commercial purpose other than the news-gathering organization's publication or broadcasting of the information in the report. A newspaper, periodical, or radio or television station shall not be held to have used or knowingly allowed the use of the report for a commercial purpose merely because of its publication or broadcast.
- (7) The motor vehicle insurers of any train engineer or other train crew member involved in an accident on a railroad while functioning in their professional capacity shall be prohibited from obtaining a copy of any accident report filed on the accident under this section without written consent from the individual the company insures. Insurance companies issuing motor vehicle policies in the Commonwealth shall be prohibited from raising a policyholder's rates solely because the policyholder, in his or her professional capacity, is a train engineer or other train crew member involved in an accident on a railroad.

Effective: July 14, 2000

History: Amended 2000 Ky. Acts ch. 497, sec. 2, effective July 14, 2000. -- Amended 1994 Ky. Acts ch. 478, sec. 1, effective July 15, 1994. -- Amended 1990 Ky. Acts ch. 94, sec. 1, effective July 13, 1990. -- Amended 1976 Ky. Acts ch. 194, sec. 1, effective January 1, 1977. -- Created 1974 Ky. Acts ch. 335, sec. 1.

KRS 189.751 Abandonment of vehicle on county road or city street -- Penalty -- Removal -- Disposition.

- (1) Any person who leaves a vehicle upon a county road or city street under circumstances indicating an abandonment, shall be fined not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100), or imprisoned for not less than ten (10) days nor more than thirty (30) days. A vehicle left upon a county road or city street for three (3) consecutive days shall be presumed to be abandoned.
- (2) The public authority having jurisdiction over a particular county road or city street shall cause a vehicle that is presumed to be abandoned under subsection

(1) of this section and that is fit for future use to be removed by some person engaged in the business of storing or towing motor vehicles and the provisions of KRS 376.275 shall apply in disposing of the vehicle. Any money obtained in disposing of a vehicle that is in excess of any liens shall be paid by the seller to the owner and if the owner cannot be located, the excess money shall escheat to the state pursuant to the provisions of KRS Chapter 393. A vehicle shall be registered or transferred in the county where the sale is conducted upon an affidavit by the seller that the provisions of KRS 376.275 have been met. The affidavit shall contain information as prescribed by the transportation cabinet.

- (3) If a vehicle that is presumed abandoned under subsection (1) of this section is, in the opinion of the public authority, unfit for future use, the public authority may dispose of it immediately in a manner as it deems appropriate.

Effective: July 15, 1998

History: Amended 1998 Ky. Acts ch. 179, sec. 1, effective July 15, 1998. -- Amended 1974 Ky. Acts ch. 74, Art. IV, sec. 20(9). -- Amended 1972 Ky. Acts ch. 299, sec. 3. -- Created 1966 Ky. Acts ch. 105, secs. 1 to 3.

KRS 189.753 Abandonment of motor vehicle on state highway -- Presumption -- Notification -- Removal.

- (1) Any motor vehicle left upon the right-of-way of a state highway for three (3) consecutive days shall be presumed an abandoned vehicle.
- (2) The Department of State Police shall locate abandoned vehicles on the right-of-way of state highways. Upon determination that a vehicle is abandoned, and notwithstanding the provisions of KRS 189.450, the Department of State Police may order any person engaged in the business of storing or towing motor vehicles to remove the abandoned vehicle to a site chosen by the person. The department shall determine, if possible, the ownership of the vehicle through the abandoned vehicle's license plates, serial number, or other methods of determining ownership. As soon as practicable the owner shall be notified by mail, whether he is a Kentucky resident or a resident of another state, that the abandoned vehicle was illegally upon public property; the name and the address where the storage facility is located; that removal of the vehicle from the storage facility will involve payment of towing and storage charges; and that the vehicle may be sold pursuant to provisions of KRS 376.275 if not claimed within sixty (60) days. A notification shall not be required if ownership cannot be determined. In the event of such sale, the state shall receive any proceeds after the satisfaction of all liens placed on the vehicle.
- (3) The commissioner of State Police shall promulgate administrative regulations pursuant to KRS Chapter 13A to carry out the provisions of this section.

Effective: July 15, 1998

History: Amended 1998 Ky. Acts ch. 179, sec. 3, effective July 15, 1998. -- Amended 1986 Ky. Acts ch. 322, sec. 3, effective July 15, 1986. -- Amended 1974 Ky. Acts

KRS 189.910 Definitions for KRS 189.920 to 189.950.

- (1) As used in KRS 189.920 to 189.950, "emergency vehicle" means any vehicle used for emergency purposes by a fire department; any vehicle used for emergency purposes by the State Police, a public police department, Department of Corrections, or sheriff's office; any vehicle used for emergency purposes by a rescue squad; any publicly owned vehicle used for emergency purposes by an emergency management agency; any vehicle used to respond to emergencies or to transport a patient with a critical medical condition if the vehicle is operated by a Cabinet for Health Services licensed ambulance provider or medical first-response provider; any vehicle commandeered by a police officer; or any motor vehicle used by a paid or volunteer fireman or paid or volunteer ambulance personnel or a paid or volunteer local emergency management director while responding to an emergency or to a location where an emergency vehicle is on emergency call.
- (2) As used in KRS 189.920 to 189.950, "public safety vehicle" means public utility repair vehicle; wreckers; state, county, or municipal service vehicles and equipment; highway equipment which performs work that requires stopping and standing or moving at slow speeds within the traveled portions of highways; and vehicles which are escorting wide-load or slow-moving trailers or trucks.

Effective: July 15, 1998

History: Amended 1998 Ky. Acts ch. 226, sec. 106, effective July 15, 1998; and ch. 426, sec. 124, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 233, sec. 9, effective July 15, 1996. -- Amended 1992 Ky. Acts ch. 211, sec. 16, effective July 14, 1992. -- Amended 1986 Ky. Acts ch. 220, sec. 1, effective July 15, 1986; and ch. 419, sec. 1, effective July 15, 1986. -- Created 1970 Ky. Acts ch. 93, sec. 1.

Legislative Research Commission Note (7/15/98). This section was amended by 1998 Ky. Acts chs. 226 and 426 which do not appear to be in conflict and have been codified together.

KRS 189.920 Flashing lights.

- (1) All fire department, rescue squad, or publicly owned emergency management agency emergency vehicles and all ambulances shall be equipped with one (1) or more flashing, rotating, or oscillating red lights, visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of the vehicle, and a siren, whistle, or bell, capable of emitting a sound audible under normal conditions from a distance of not less than five hundred (500) feet. This equipment shall be in addition to any other equipment required by the motor vehicle laws.
- (2) All state, county, or municipal police vehicles and all sheriffs' vehicles used as

- emergency vehicles shall be equipped with one (1) or more flashing, rotating, or oscillating blue lights, visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of the vehicle, and a siren, whistle, or bell, capable of emitting a sound audible under normal conditions from a distance of not less than five hundred (500) feet. This equipment shall be in addition to any other equipment required by the motor vehicle laws.
- (3) By ordinance, the governing body of any city or county may direct that the police or sheriffs' vehicles in that jurisdiction be equipped with a combination of red and blue flashing, rotating, or oscillating lights.
 - (4) All public safety vehicles shall be equipped with one (1) or more flashing, rotating, or oscillating yellow lights, visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of the vehicle. Yellow flashing, rotating, or oscillating lights may also be used by vehicles operated by mail carriers while on duty, funeral escort vehicles, and church buses.
 - (5) All Department of Corrections vehicles used as emergency vehicles shall be equipped with one (1) or more flashing, rotating, or oscillating blue lights, visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of the vehicle. The Department of Corrections vehicles shall not be equipped with or use a siren, whistle, or bell. The equipment prescribed by this subsection shall be in addition to any other equipment required by motor vehicle laws.
 - (6) Red flashing lights may be used by school buses.
 - (7) No emergency vehicle, public safety vehicle, or any other vehicle covered by KRS 189.910 to 189.950 shall use any light of any other color than those specified by KRS 189.910 to 189.950. Sirens, whistles, and bells may not be used by vehicles other than those specified by KRS 189.910 to 189.950, except that any vehicle may be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as an ordinary warning signal.
 - (8) Vehicles used as command posts at incidents may be equipped with and use when on scene, a green rotating, oscillating, or flashing light. This light shall be in addition to the lights and sirens required in this section.

Effective: July 15, 1998

History: Amended 1998 Ky. Acts ch. 226, sec. 107, effective July 15, 1998. -- Amended 1992 Ky. Acts ch. 211, sec. 17, effective July 14, 1992. -- Amended 1986 Ky. Acts ch. 419, sec. 2, effective July 15, 1986. -- Amended 1984 Ky. Acts ch. 55, sec. 1, effective July 13, 1984. -- Created 1970 Ky. Acts ch. 93, sec. 2.

KRS 189.930 Right-of-way to emergency vehicles -- Blocking or following emergency vehicles -- Driving over unprotected hoses of fire department.

- (1) Upon the approach of an emergency vehicle equipped with, and operating, one (1) or more flashing, rotating, or oscillating red or blue lights, visible under normal conditions from a distance of five hundred (500) feet to the front of

such vehicle; or the driver is given audible signal by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right-of-way, immediately drive to a position parallel to, and as close as possible to, the edge or curb of the highway clear of any intersection, and stop and remain in such position until the emergency vehicle has passed, except when otherwise directed by a police officer or firefighter.

- (2) Upon the approach of any emergency vehicle, operated in conformity with the provisions of subsection (1) of this section, the operator of every vehicle shall immediately stop clear of any intersection and shall keep such position until the emergency vehicle has passed, unless directed otherwise by a police officer or firefighter.
- (3) No operator of any vehicle, unless he is on official business, shall follow any emergency vehicle being operated in conformity with the provisions of subsection (1) of this section closer than five hundred (500) feet, nor shall he drive into, or park the vehicle into, or park the vehicle within, the block where the vehicle has stopped in answer to an emergency call or alarm unless he is directed otherwise by a police officer or firefighter.
- (4) No vehicle, train, or other equipment shall be driven over any unprotected hose of a fire department when the hose is laid down on any street, private driveway, or track for use at any fire or fire alarm unless the fire department official in command consents that the hose be driven over.
- (5) Upon approaching a stationary emergency vehicle or public safety vehicle, when the emergency vehicle or public safety vehicle is giving a signal by displaying alternately flashing yellow, red, red and white, red and blue, or blue lights, a person who drives an approaching vehicle shall, while proceeding with due caution:
 - (a) Yield the right-of-way by moving to a lane not adjacent to that of the authorized emergency vehicle, if:
 1. The person is driving on a highway having at least four (4) lanes with not fewer than two (2) lanes proceeding in the same direction as the approaching vehicle; and
 2. If it is possible to make the lane change with due regard to safety and traffic conditions; or
 - (b) Reduce the speed of the vehicle, maintaining a safe speed to road conditions, if changing lanes would be impossible or unsafe.
- (6) This section does not operate to relieve the person who drives an emergency vehicle from the duty to operate the vehicle with due regard for the safety of all persons using the highway.

Effective: June 24, 2003

History: Amended 2003 Ky. Acts ch. 63, sec. 1, effective June 24, 2003. -- Amended 2000 Ky. Acts ch. 215, sec. 1, effective July 14, 2000. -- Amended 1980 Ky. Acts ch. 371, sec. 2, effective July 15, 1980. -- Created 1970 Ky. Acts ch. 93, sec. 3.

KRS 189.940 Exemptions from traffic regulations.

- (1) The speed limitations set forth in the Kentucky Revised Statutes do not apply to emergency vehicles:
 - (a) When responding to emergency calls; or
 - (b) To police vehicles when in pursuit of an actual or suspected violator of the law; or
 - (c) To ambulances when transporting a patient to medical care facilities; and
 - (d) The driver thereof is giving the warning required by subsection (5)(a) and (b) of this section.

No portion of this subsection shall be construed to relieve the driver of the duty to operate the vehicle with due regard for the safety of all persons using the street or highway.

- (2) The driver of an emergency vehicle, when responding to an emergency call, or of a police vehicle in pursuit of an actual or suspected violator of the law, or of an ambulance transporting a patient to a medical care facility and giving the warning required by subsection (5) of this section, upon approaching any red light or stop signal or any stop sign shall slow down as necessary for safety to traffic, but may proceed past such red or stop light or stop sign with due regard for the safety of persons using the street or highway.
- (3) The driver of an emergency vehicle, when responding to an emergency call, or of a police vehicle in pursuit of an actual or suspected violator of the law, or of an ambulance transporting a patient to a medical care facility and giving warning required by subsection (5) of this section, may drive on the left side of any highway or in the opposite direction of a one-way street provided the normal lanes of traffic are blocked and he does so with due regard for the safety of all persons using the street or highway.
- (4) The driver of an emergency or public safety vehicle may stop or park his vehicle upon any street or highway without regard to the provisions of KRS 189.390 and 189.450, provided that, during the time the vehicle is parked at the scene of an emergency, at least one (1) warning light is in operation at all times.
- (5) The driver of an emergency vehicle desiring the use of any option granted by subsections (1) through (3) of this section shall give warning in the following manner:
 - (a) By illuminating the vehicle's warning lights continuously during the period of the emergency; and
 - (b) By continuous sounding of the vehicle's siren, bell, or exhaust whistle; unless
 - (c) The vehicle is an ambulance and the driver is of the opinion that sounding of the siren, bell, or exhaust whistle would be detrimental to the victim's health. In the event the driver of an ambulance elects not to use the siren, bell, or exhaust whistle he shall not proceed past red lights or drive in the opposite direction on a one-way street or in oncoming lanes of traffic unless no other vehicles are within five hundred (500) feet of the front of the ambulance. The driver shall not extinguish the warning lights during the period of the emergency.

- (6) No driver or operator of any emergency or public safety or other vehicle shall use the warning lights or siren, bell, or exhaust whistle of his vehicle for any purposes or under any circumstances other than those permitted by KRS 189.910 to 189.950.
- (7) KRS 189.910 to 189.950 does not relieve the driver of any emergency or public safety vehicle from the duty to drive with due regard for the safety of all persons and property upon the highway.

Effective: July 15, 1980

History: Amended 1980 Ky. Acts ch. 371, sec. 1, effective July 15, 1980. -- Amended 1974 Ky. Acts ch. 308, sec. 36. -- Created 1970 Ky. Acts ch. 93, sec. 4.

KRS 189.950 Prohibitions -- Exceptions.

- (1) No motor vehicle, except those designated under KRS 189.910 to 189.950 as emergency vehicles, shall be equipped with, nor shall any person use upon a vehicle, any siren, whistle, or bell. Any vehicle may be equipped with a theft alarm signal device which shall be so arranged that it cannot be used as an ordinary warning signal.
- (2) No motor vehicle, except those designated under KRS 189.910 to 189.950 as emergency vehicles, shall be equipped with, nor shall any person use upon a vehicle any red or blue flashing, revolving, or oscillating light or place a red light on the front thereof. This subsection shall not apply to the use of red flashing lights on school buses or to stop lights or turn signals at the rear of any motor vehicle.
- (3) No motor vehicle, except those designated under KRS 189.910 to 189.950 as public safety vehicles, shall be equipped with, nor shall any person use upon any vehicle any yellow flashing, revolving, or oscillating light. This subsection shall not apply to the use of yellow lights for turn signals; or to emergency flasher lights for use when warning the operators of other vehicles of the presence of a vehicular traffic requiring the exercise of unusual care in approaching, overtaking, or passing; or to vehicles operated by mail carriers while on duty; funeral escort vehicles and church buses.
- (4) Any person who is a regular or voluntary member of any fire department furnishing fire protection for a political subdivision of the state or any person who is a regular or voluntary member of a rescue squad may equip his vehicle with red flashing, rotating, or oscillating lights and a siren, bell, or exhaust whistle if he has first been given permission, in writing, to do so by the chief of the fire department or rescue squad. He may use such lights and equipment only while proceeding to the scene of a fire or other emergency or to a location where another emergency vehicle is on emergency call in the performance of his official duties as a member of a fire department or rescue squad.
- (5) Any constable may, upon approval of the fiscal court in the county of jurisdiction, equip vehicles used by said officer as emergency vehicles with one (1) or more flashing, rotating or oscillating blue lights, visible under

normal atmospheric condition from a distance of five hundred (500) feet to the front of such vehicle, and a siren, whistle or bell, capable of emitting a sound audible under normal conditions from a distance of not less than five hundred (500) feet. This equipment shall be in addition to any other equipment required by the motor vehicle laws. Any constable authorized by the fiscal court to utilize blue lights and a siren pursuant to this section shall maintain at least the insurance described by KRS 304.39-110.

- (6) Any person who is a paid or voluntary member of any ambulance service furnishing emergency medical services for a political subdivision of the state may equip his vehicle with red flashing, rotating, or oscillating lights and a siren, bell, or exhaust whistle if he has first been given permission, in writing, to do so by the chief or director of the ambulance service. He may use such lights and equipment only while proceeding to the scene of an emergency, a medical facility, or to a location where another emergency vehicle is on emergency call in the performance of his official duties as a member of the ambulance service.

Effective: July 15, 1986

History: Amended 1986 Ky. Acts ch. 220, sec. 2, effective July 15, 1986; and ch. 437, sec. 2, effective July 15, 1986. -- Amended 1984 Ky. Acts ch. 19, sec. 1, effective July 13, 1984. -- Created 1970 Ky. Acts ch. 93, sec. 5.

Legislative Research Commission Note. This section was amended by two 1986 Acts which do not appear to be in conflict and have been compiled together.

502 KAR 15:010. Accident reports.

RELATES TO: KRS 189.635

STATUTORY AUTHORITY: KRS 15A.160, 189.635

NECESSITY, FUNCTION, AND CONFORMITY: EO 2003-064, effective December 16, 2003, reorganized the Justice Cabinet and placed the Department of State Police under the Justice and Public Safety Cabinet. KRS 189.635 requires the Justice and Public Safety Cabinet to establish a reporting system for all vehicle accidents, including reporting procedures and forms. This administrative regulation establishes the reporting system.

Section 1. The "Uniform Police Traffic Accident Report" form published by the Justice and Public Safety Cabinet shall be the official vehicle accident report form for all law enforcement agencies in Kentucky.

Section 2. Interpretation and classification of traffic accidents in connection with completion of a Kentucky uniform police traffic accident report form shall follow instructions in the "Kentucky Uniform Police Traffic Accident Report Manual" as published by the Justice and Public Safety Cabinet and instructions not in conflict with the Kentucky manual contained in the "Manual on Classification of Motor Vehicle Traffic Accidents," as published by the National Safety Council.

Section 3. A law enforcement agency whose officers make a report of a traffic accident shall be termed an originating agency with respect to the report and shall retain a copy of the report. Responsibility for providing copies of traffic accident reports shall remain with the originating agency.

Section 4. A law enforcement agency receiving a vehicle accident report pursuant to KRS 189.635 shall within ten (10) days thereafter forward the original copy of the report to the "CRASH Section, Criminal Identification and Records Branch" Department of State Police, Justice and Public Safety Cabinet, Frankfort, Kentucky 40601, in envelopes provided by the cabinet. The report shall be mailed flat and not folded.

Section 5. Incorporation by Reference. (1) The following material is incorporated by reference:

- (a) "Kentucky Uniform Police Traffic Collision Report, Form KSP 74 Revised 1/2000";
- (b) "Kentucky Uniform Police Traffic Accident Report Manual, July 2000";
- (c) "Manual on Classification of Motor Vehicle Traffic Accidents, 6th edition"; and
- (d) "Vehicle accident report envelope, 1st edition".

502 KAR 15:020. Definitions.

RELATES TO: KRS 189.450, 189.752, 189.753

STATUTORY AUTHORITY: KRS 189.753(3)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 189.753(3) directs the Department of State Police to locate abandoned vehicles, order their removal from the rights-of-way of state highways, and notify the owners of vehicles. This administrative regulation is adopted to define the procedures for location, removal, notification of owners and sale of abandoned vehicles.

Section 1. The department shall locate, order removal of, and send notification to the owner of vehicles which are abandoned on the rights-of-way of state highways. This administrative regulation will not affect vehicles abandoned on toll roads, interstate highways or other fully controlled access highways as defined in 603 KAR 5:025.

Section 2. Definitions. (1) "Presumed abandoned" means it has been determined that a vehicle has been left upon the rights-of-way of a state highway for fifteen (15) consecutive days.

(2) "Rights-of-way" means in addition to the actual width of a state highway and the area between any separated highway, those areas lying outside the shoulders and ditch lines and within any landmarks such as fences, fence posts, cornerstones or other similar monuments indicating the boundary line.

Section 3. Location of Abandoned Vehicles. When the Department of State Police observes a vehicle that is apparently abandoned on a state highway, a stalled vehicle check form shall be affixed to the vehicle noting the date and location. Notwithstanding the provisions of KRS 189.450, the vehicle shall be presumed abandoned if it remains at the location for fifteen (15) consecutive days.

Section 4. Removal and Storage of Abandoned Vehicles. (1) When a vehicle is presumed abandoned, the Department of State Police may order any person engaged in the business of storing or towing motor vehicles to remove the abandoned vehicle to a site chosen by such person.

(2) As soon as practicable, the Department of State Police shall if possible notify the owner by certified mail that the vehicle was illegally upon public property; the present location of the vehicle; that retrieval will require payment of towing and storage charges; and that the vehicle may be sold if not claimed within sixty (60) days.

(3) No notification shall be required if ownership cannot be determined.

(4) Notice by the Department of State Police shall constitute substantial compliance of the notice requirement by the towing and storing business.

Section 5. Sale of Abandoned Vehicles. (1) If after a period of sixty (60) days the reasonable charges for towing and storing the vehicle have not been paid, the vehicle may be sold by the owner of the towing or storing facility to pay the charges.

(2) Prior to setting any date for sale, the towing or storage facility shall contact the state police and determine if the vehicle is part of an ongoing investigation which would preclude sale, and to inform the state police of any anticipated date of sale.

(3) Ten (10) days prior to the sale, the towing or storing facility shall send a certified letter to the owner stating the time and place of the sale.

(4) If the owner fails to respond to this second notice or make provisions to pay the towing and storage charges, the vehicle may be sold pursuant to KRS 376.275.

(5) In the event of such sale, the state shall receive any proceeds after the satisfaction of all liens placed on the vehicle.

(6) The towing or storage facility selling any vehicle shall by affidavit inform the Department of State Police of the towing and storage charges, the proceeds of the sale, and transmit any excess funds which shall be deposited in the state police agency fund account. (13 Ky.R. 601; eff. 10-2-86.)

603 KAR 5:025. Fully-controlled access highways.

RELATES TO: KRS 177.220, 177.230, 177.300, 189.190, 189.340, 433.750, 433.753

STATUTORY AUTHORITY: KRS 174.080, 175.450(7), 177.230, 177.410(6), 189.231

NECESSITY, FUNCTION, AND CONFORMITY: This administrative regulation promulgates prescriptions and proscriptions deemed necessary for the safe, orderly regulation of traffic for all Kentucky Toll Roads, Interstate Highways and other Fully Controlled Access Highways.

Section 1. Definitions. (1) "Farm implement" means machinery, equipment or vehicle used exclusively in a farm operation and which is not required by KRS Chapter 186 to be registered.

(2) "Fully controlled access highway" means a highway which gives preference to through traffic and which shall have access only at selected public roads or streets, and which shall have no highway grade crossing or intersection.

(3) "Hitchhiking" means the solicitation of a ride in a motor vehicle.

(4) "Motor scooter" means a motor vehicle having a seat or saddle for the use of the driver and designed to travel on not more than three (3) wheels with a motor which produces five (5) horsepower or less.

(5) "Toll road" means any turnpike project constructed under the provisions of KRS Chapter 175 or KRS 177.390 through 177.570 on which a toll is collected or was in the past collected by the Transportation Cabinet.

Section 2. Unidirectional Nature of Traffic Lanes and Ramps. (1) On multilane (four (4) or more lanes) divided toll roads, interstate highways, and other fully controlled access highways, no vehicle shall be operated or otherwise caused to move in a direction which is against the normal flow of traffic on any traffic lane, deceleration lane, acceleration lane, ramp, shoulder or other traveled way of the highway.

(2) On two (2) lane, two (2) way undivided toll roads, interstate highways, and other fully controlled access highways, no vehicle shall be operated or otherwise caused to move in a direction which is against the normal flow of traffic on any traffic lane where passing is prohibited by signs or markings or on any deceleration lane, acceleration lane, ramp, shoulder or other traveled way of such highway.

Section 3. Prohibition of U-turns and Left Turns. The making of a U-turn at any point on toll roads, interstate highways, and other fully controlled access highways is prohibited. Excepted from this provision are maintenance, emergency, and police vehicles. The making of a left turn on these roads, except where permitted by official signs, is prohibited.

Section 4. Prohibition of Standing, Stopping, or Parking on Shoulders. No vehicle shall be parked, stopped, or allowed to stand on the shoulders of any toll road, interstate highway, or other fully controlled access highway, including ramps thereto, except that in the case of emergency, vehicles shall be permitted to stop on the shoulders to the right of the traveled way with all wheels and projecting parts of the vehicle, including the load, completely clear of the traveled way. Parking of any vehicle which is disabled on the shoulders of a toll road, interstate highway, or other fully controlled access highway,

including ramps thereto, for more than six (6) hours continuously is prohibited and vehicles violating this provision may be towed away at the cost of the owner.

Section 5. Waste and Rubbish. Littering of the right-of-way of any toll road, interstate highway, or other fully controlled access highway with bottles, cans, paper, garbage, rubbish or other material of any kind or description is prohibited.

Section 6. Damaging of Shrubs or Plants. No unauthorized person shall cut, mutilate, or remove any trees, shrubs, or plants located within the right-of-way of any toll road, interstate highway, or other fully controlled access highway.

Section 7. Limitations on Use. Use of toll roads, interstate highways, and other fully controlled access highways by the following is prohibited at all times:

- (1) Bicycles or motor scooters;
- (2) Vehicles drawn by animals;
- (3) Animals led, ridden, or driven on hoof;
- (4) Vehicles with improperly secured loads or loaded with animals not properly confined;
- (5) Vehicles with metal treads and vehicles with caterpillar treads;
- (6) Farm implements which are not being transported on a straight truck or truck trailer combination or a semitrailer;
- (7) Construction equipment other than motor trucks, except by special permit; and
- (8) Moped as defined in KRS 186.010(5).

Section 8. Prohibition of Hitchhiking. No person shall solicit a ride in a vehicle while on any portion of the right-of-way of a toll road, interstate highway, or other fully controlled access highway.

Section 9. Passing and Following Vehicles; Traffic Lanes (Applicable only to two (2) lane, two (2) way undivided toll roads, interstate highways, and other fully controlled access highways).

(1) Vehicles overtaking other vehicles proceeding in the same direction shall pass to the left of them and shall not again drive to the right until reasonably clear of those vehicles. No vehicle shall be driven to the left side of the roadway in overtaking and passing another vehicle proceeding in the same direction unless the left side is clearly visible and free of oncoming traffic for a sufficient distance ahead to permit overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken.

(2) Drivers shall obey the instructions of all signs and markings placed to assign traffic lanes, to specify directions or to designate slow moving traffic lanes in all areas where climbing lanes have been added.

(3) The operator of a vehicle shall not follow another vehicle more closely than is reasonable and prudent, having regard for the speed of the vehicle and the traffic upon and the condition of the highway. The operator of any truck, bus, or heavy equipment unit shall not follow within 250 feet of another vehicle; this shall not prevent overtaking and passing, nor shall it apply to any lane designated for use of slow moving traffic.

Section 10. Prohibition of Vending on Shoulders and Right-of-way. No vehicle shall be parked, stopped, or allowed to stand on the shoulders or right-of-way of any toll road, interstate highway, or other fully controlled access highway, including ramps thereto for the purpose of displaying, selling or offering for sale any merchandise, wares, produce, services or other items. Nor shall any person be allowed to engage in the above activities on the above mentioned shoulders or right-of-ways. (HIWA-LIM ACC; 1 Ky.R. 152; eff. 12-11-74; Am. 6 Ky.R. 282; eff. 1-2-80; 14 Ky.R. 271; eff. 9-10-87; 17 Ky.R. 1832; eff. 1-6-91.)

603 KAR 5:080. Truck detours.

RELATES TO: KRS 189.222(4)

STATUTORY AUTHORITY: KRS 174.080, 189.222

NECESSITY, FUNCTION, AND CONFORMITY: KRS 189.222 authorizes the Secretary of the Transportation Cabinet to designate truck size permits on all roads that are a part of the State Primary Road System. This administrative regulation is adopted to designate the limitations applicable on those roads used in detours from the State Primary Road System.

Section 1. From time to time it becomes necessary to close a section of designated highway because of new construction. When this is done, the Transportation Cabinet will provide, if possible, marked detours which will carry the same truck weight as the road from which the traffic is being detoured. If it is not possible to provide a detour to carry this weight, the detour will be marked and limited as to weight. A marked detour for a designated highway which is marked without weight restrictions, becomes a designated highway of the same class as the highway from which the traffic is being detoured, during the time that it remains a marked detour. (HIWA-TC-DI; 1 Ky.R. 817; eff. 5-14-75.)

603 KAR 5:320. Safety in highway work zones.

RELATES TO: KRS 189.232, 189.2325, 189.390(4)(b), 189.394(6)

STATUTORY AUTHORITY: KRS 189.2325

NECESSITY, FUNCTION, AND CONFORMITY: KRS 189.2325 requires the Transportation Cabinet to promulgate administrative regulations governing the posting of signs advising motorists that penalties are increased for speeding violations occurring on

state-maintained streets or highways in a highway work zone. KRS 189.390(4)(b) authorizes the Transportation Cabinet to temporarily reduce established speed limits in a highway work zone without an engineering or traffic investigation. This administrative regulation establishes guidelines for the posting of signs in highway work zones and addresses the maximum reduction in speed limit the Transportation Cabinet may be able to effect without an engineering or traffic investigation.

Section 1. Definitions. The definition of "highway work zone" shall be governed by KRS 189.232.

Section 2. Double Fine Signs. (1) At the beginning of that portion of a highway work zone where the fines for conviction of speeding are to be doubled, the Department of Highways shall cause to be placed a sign with the following message: "FINE DOUBLED IN WORK ZONE".

(2) At the end of that portion of a highway work zone where the fines for conviction of speeding are to be doubled, the Department of Highways shall cause to be placed a sign with the following message: "END DOUBLE FINE".

(3) The construction or manufacture of double fine signs shall be governed by the criteria set forth in the Department of Highways document "Double Fine Signs Specifications".

(4) The signs required by subsections (1) and (2) of this section shall be removed or covered so that the required message is not visible or legible to the traveling public or a law enforcement officer when the highway work zone does not have a worker present for more than a two (2)-hour period of time.

Section 3. Placement of Double Fine Signs. (1) A highway work zone shall be eligible for placement of the double fine signs if:

(a) A worker is not routinely protected by a barrier wall; or

(b) A condition exists which exposes a worker to traffic hazards.

(2) The double fine signs shall only be placed to affect that portion of the highway work zone where a worker is exposed to traffic hazards.

(3) The double fine signs may be relocated as the project taking place in the highway work zone progresses.

(4)(a) If the highway on which the "double fine signs" are to be placed is not a divided highway, the fine shall be doubled for both directions of travel.

(b) The "double fine signs" specified in Section 2 of this administrative regulation shall be placed facing the on-coming traffic at both ends of the work zone on a highway which is not divided.

(5) If the highway on which the "double fine signs" are to be placed is a divided highway, the fine shall be doubled only for a direction of traffic which is signed pursuant to this administrative regulation.

Section 4. State Forces. The Department of Highways engineer overseeing a construction or maintenance project which is being accomplished with state forces may place double fine signs in accordance with the provisions of this administrative regulation.

Section 5. Encroachment Permit Holders and Contractors for the Department. (1) An applicant for an encroachment permit pursuant to 603 KAR 5:150 or a contractor for the department who will have workers exposed to traffic hazards may request permission to place double fine signs in accordance with the provisions of this administrative regulation.

(2) The Department of Highways engineer who approves the encroachment permit or serves as engineer for the project shall grant or deny the request to place double fine signs at a highway work zone.

(3) The Department of Highways engineer who approves an encroachment permit or oversees a construction project request for work on a highway which has hazardous conditions may require the permit holder to place double fine signs at the highway work zone.

(4) The placement of a double fine sign in a work zone shall not relieve a permit holder or contractor from his duty to have an approved traffic control plan for each work location.

(5) The double fine signs placed by the permit holder or contractor shall meet the requirements of the "Double Fine Sign Specifications".

(6) A permit holder or contractor shall notify the Transportation Cabinet of the times and locations of the placement of the double fine signs.

Section 6. Reduced Speed Limits. (1) The Department of Highways may temporarily reduce the speed limit in a highway work zone.

(2) The Department of Highways shall not reduce the speed limit in a highway work zone by more than ten (10) miles per hour without an engineering or traffic investigation.

(3) A temporarily reduced speed limit in a highway work zone shall be signed with a black on white regulatory sign.

(4) A black on orange sign recommending a speed shall be advisory.

(5) The Department of Highways engineer in charge of a maintenance or construction project may temporarily reduce the speed limit in a highway work zone without placing double fine signs in the zone.

Section 7. Incorporation by Reference. (1) "Double Fine Sign Specifications", (October 1996 Edition), Department of Highways is incorporated by reference.

(2) It may be inspected, copied, or obtained free of charge from the Transportation Cabinet, Department of Highways, Division of Traffic. The address is First Floor, State

Office Building, 501 High Street, Frankfort, Kentucky 40622. The telephone number is (502) 564-3020. (23 Ky.R. 2641; eff. 2-10-97.)