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Largely unnoticed law hinders firefighters

Rule requires commercial license

By Rasheed Oluwa
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Firefighters across the state are up in arms over an obscure vehicle and traffic law that requires them to hold commercial driver licenses when driving fire trucks during nonemergencies.

The law, put into effect in 2005, says it is OK for firefighters to drive to the scene of a fire without the license, which is commonly referred to as a CDL. But once firefighters are finished at the scene, they would be prohibited from driving back to their firehouse since there is no longer an emergency.

This poses a problem for many fire departments - especially volunteer fire departments.

"This is something that we learned about within the past week and a half," said Bill O'Connell, a captain with Kripplebush fire department in Ulster County. "We do have two members with CDLs, which, of course, we will utilize. But in some cases we don't have the manpower to do that. You just go forward and hope you don't get ticketed."

Tory Gallante is the chief of the Fairview Fire District, which covers parts of the towns of Poughkeepsie and Hyde Park. The district is composed of volunteer and paid firefighters.

Gallante said only two out of the 20 drivers in his department has the license. But Gallante said firefighters aren't given access to fire rigs without training.

"Our members may not have formal CDLs, but they go through extensive driver training before they are allowed to drive an emergency vehicle," Gallante said.

Exemption changed

Prior to the law change, firefighters were exempt from CDL requirements. The change in the law was made to ensure the state's laws were uniform with federal highway safety standards, according to the state Association of Fire Chiefs.

The change went unnoticed until last year, when the Suffolk County Department of Fire, Rescue and Emergency Services asked the state Department of Motor Vehicles for a clarification of the law.

"It makes no sense at all, and I think the interpretation, especially in an area like ours, puts an additional burden on our volunteer fire services," said state Sen. John Bonacic, R-Mount Hope, who recently co-sponsored a bill that would amend the law.

State Assemblyman Marc Molinaro, R-Tivoli, co-sponsored a similar bill.

"I wasn't there at the time, so I can't tell you how the law was passed and nobody was able to catch on," Molinaro said. "I guess it wasn't a standalone piece of legislation and it was included somewhere in a larger bill. It also speaks to the issue of New York creating more rules and regulations and having no ability to enforce or regulate them."
