

**CHIPPEWA CREE TRIBAL COURT  
TITLE XXI  
FIRE FIGHTING REGULATIONS  
AND POLICIES**

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## **SECTION ONE INTRODUCTION**

### **I. Introduction:**

- A. The Chippewa Cree Natural Resource Department Branch Forestry, Fire Management, and Bear Paw Hotshots are responsible for acquisition, operation, maintenance, repair, and administration of all vehicles, including hotshot vehicles, under the Rocky Boy Fire Equipment (RBFE) used for extinguishing wildland fires and other official fire business.
- B. The following Regulations and Policies have been established to provide the Natural Resource Director, Fire Management Officer, Bear Paw Hotshot Superintendent and all engine operators of the Rocky Boy Fire Equipment information relating to the use of these vehicles.

## **SECTION TWO GENERAL OPERATOR REQUIREMENTS**

### **I. General Operator Requirements:**

- A. Operators shall possess a valid Montana driver's license.
- B. License shall be in the possession of the driver at all times when he/she is operating any RBFE. The Tribal Natural Resource Department personnel will require that engine operators exhibit a valid driver's license prior to assignment of the Rocky Boy Fire Engines/vehicles.
- C. Hotshot and Engine operators shall utilize the RBFE vehicles for conducting fire business only. Personal or private use is prohibited.
- D. Hotshot and Engine operators shall comply with all laws, rules, and regulations regarding the operation of the RBFE vehicles in the State of Montana and all Out of States dispatches.
- E. Hotshot and Engine operators will be fully qualified before they are dispatched from the Agency to any Incident outside the Rocky Boy Indian's Reservation.
- F. Hotshot and Engine operators are prohibited from use of alcohol/drugs/narcotics while operating any RBFE vehicle.
- G. Hotshot and Engine operators are responsible for all parking and traffic violations.

- H. All RBFV vehicles shall be operated in a safe and prudent manner using defensive driving to avoid hazards created by weather, roads, pedestrians, and other vehicles. **SEAT BELTS SHALL BE UTILIZED.**
  - I. Operators shall promptly report all accidents involving the hotshot vehicles and engines using the Motor Vehicle Accident Report. These forms may be found in the mileage logbook or glove compartment and when completed they should be forwarded to the Natural Resource Department, RR1, Box 542, Box Elder, Montana 59521.
  - J. Parked RBFV vehicles shall be locked.
  - K. Engines are to be parked at the Tribal Natural Resource Department parking lot when they are in the Rocky Boy area and should be parked off highways and streets when traveling in other locations. Hotshot vehicles are to be parked at the Bear Paw Hotshot building parking lot when they are in the Rocky Boy area. All Hotshot vehicles and engines assigned to an Incident are to be promptly returned to their respected parking lots at the conclusion of the dispatch and in a clean condition.
  - L. Chains, shovels, tools, or other special equipment may be obtained from the Natural Resource Department.
  - M. Bumper stickers, CB radios or other unauthorized equipment are not to be permanently mounted on or in any RBFV vehicle. This includes radar detectors.
  - N. Hitchhikers, animals, children, or spouses not on official fire business are not to be transported in the RBFV vehicles.
  - O. There will be no drugs/narcotics or alcohol allowed in the RBFV vehicles.
  - P. Driving by any operator will be limited to 10 hours per day. Crew member(s) will include a qualified back-up driver that has a valid Montana Driver License within his possession.
- II. Employees shall be held accountable and responsible for the loss and damage of Tribal property provided the loss or damage is due to negligence or carelessness.
- III. Those employees who are indebted to the Forestry Department due to the negligence and fail to pay such obligations or make satisfactory arrangements to pay may have partial sums of their periodic net salary withheld until such indebtedness has been satisfied in full. Those that are AD employees will have the total sum withdrawn from their check.

### SECTION THREE

## **NATURAL RESOURCE DIRECTOR, FIRE MANAGEMENT OFFICER, AND BEAR PAW HOTSHOT SUPERINTENDENT RESPONSIBILITIES**

### **I. Natural Resource Director, Fire Management Officer, and Bear Paw Hotshot Superintendent Responsibilities:**

The Natural Resource Director, Fire Management Officer, AND Bear Paw Hotshot Superintendent are responsible for the actions of their engine operators/vehicles and should institute proper disciplinary actions, recommending dismissal to the Natural Resource Committee/Director for violation of these regulations and policies. Engine and vehicle operators will be billed for actual costs resulting from:

- A. An operator's negligent driving, misuses, or driving under the influence of alcohol or drugs.
- B. Other than over the road operations.
- C. Heavy articles being carried in or on the vehicles that may cause damage.
- D. Replacement of chains, shovel, tools, etc not returned with the vehicle.
- E. Cleaning excessive debris from the unit such as sunflower seeds, spilled liquids, such as pop, etc.
- F. Costs associated to replace lost keys.
- G. Insurance deductible when vehicle operator is at fault.
- H. Any damages resulting from personal use of the vehicle.
- I. Any costs associated with the vehicle credit card other than those costs listed under credit card use in Section 4.

## **SECTION FOUR FIRE DISPATCH**

### **I. Fire Dispatch:**

- A. All assigned operators will be on a rotation list. Engine operators will pick two labors and will be dispatched together throughout the fire season. All Hotshot operators will have a backup driver for each of their vehicles.
- B. RBFE vehicles may be used for out of State dispatches when called by Great Falls Forest Service Dispatch.

- C. Operators are responsible for the daily maintenance of assigned RBFE vehicle while on an Incident outside the Reservation. All RBFE vehicles will be inspected upon checkout and upon return.
- D. Operators of the vehicles will ensure that all logs are kept on a daily basis and are kept with the vehicles at all times.
- E. All travel mileage shall be recorded in the mileage book provided with the vehicle.
- F. Each operator shall sign or initial the mileage book upon return of the vehicle.
- G. If the odometer fails, estimated mileage should be recorded. It is the operator's responsibility to notify the Natural Resource Department personnel so that it can be repaired as soon as possible.
- H. If the vehicle is returned when the Natural Resource Department parking lot is unattended, the vehicle shall be parked at the Rocky Boy Police Department and the keys turned into the dispatcher that is on duty.

## **SECTION FIVE CREDIT CARD USE**

### **I. Credit Card Use:**

- A. Credit cards are authorized for the purchase of gas and oil for In-State fire dispatches only and will be signed by engine operator.
- B. For all out of State dispatches, operators are responsible for credit card purchases. Purchases may include gas, oil, meals and motel rooms with the permission of Fire Management Officer. All other unauthorized purchases will be charged to operator.
- C. Credit card receipts are to be turned over to Fire Management Officer immediately upon return from dispatch.
- D. Credit card receipts information for the gas and oil shall include mileage, gallons, dollar amount, date, and signature of engine operator.
- E. All casual pay operators will have unauthorized purchases deducted from their pay. Late payments will prohibit future dispatches.

## **SECTION SIX STORAGE, PARKING, TOWING**

**I. Storage, Parking, Towing:**

- A. Storage and parking charges will be paid by engine operator and will be reimbursed through the suppression account providing engine operator has prior approval.
- B. In event the engine operator is unable to contact the Fire Management Officer he/she may obtain local commercial assistance for towing.

**SECTION SEVEN  
AUTOMOTIVE INSURANCE**

**I. Automotive Insurance:**

- A. The Chippewa Cree Tribe provides liability insurance coverage for Tribal employees driving RBFV vehicles. The Vehicle Liability Policy protects all employees from liability incurred by the operation of the RBFV vehicles. The policy does not provide reimbursement for any physical damage to the vehicle nor does it provide for loss of personal property.
- B. Participants utilizing the RBFV vehicles must be insurable. Any violations incurred by an individual that impacts the rate of insurance coverage shall not be allowed to participate. A convicted or pending case of D.U.I. or D.W. I. shall prohibit participation in use of RBFV vehicles.
- C. The engine operator of a RBFV vehicle will be held liable if he/she misrepresents his/her insurance status.
- D. Major accidents involving more than \$250.00 in damage or any accident involving bodily injury requires:
- E. Notification of the accident to the Chippewa Cree Law Enforcement, the Natural Resource Director and the Chairman of the Natural Resource Committee, including the completion of necessary forms.
- F. As soon as possible, report the accident to Tribal Forestry Department at (406) 395-4207. They will notify the insurance adjuster.
- G. Accident reports will be submitted to the Tribal Forestry Department within 24 hours upon accident.
- H. In all cases, gather pertinent accident information such as names and address of the other party, witnesses, etc. Do Not sign any documents or statements regarding fault or liability.

**SECTION EIGHT**

## SPECIAL EQUIPMENT

### I. Special Equipment:

- A. If the need for tire chains or shovels or other tools is anticipated, engine operator must fill out request. The Fire Management Officer and Hotshot Superintendent will prepare a special equipment request form and have the user sign for the items received. After returning the special equipment to the Natural Resource Department the form will be filed.
- B. Each RBFE vehicle will be equipped with specialized equipment that includes, but not limited to, rotating beacons, two-way radios, and spotlights. The Forestry Department and Hotshot Superintendent are responsible for purchase, installation and maintenance costs of any specialized equipment.

## SECTION NINE GRIEVANCE AND APPEAL PROCEDURES

### I. Grievance and Appeal Procedures:

- A. Any grievances with the Fire Management Officer or Hotshot Superintendent can be addressed to the Natural Resource Director. You have five (5) days to submit your grievance.
- B. If you should be suspended or terminated from the use of the RBFE vehicles and the Director finds you negligent in the use of a RBFE vehicle you will have five (5) days to appeal the Director's decision. Appeals will be sent to the Grievance Committee for further action. All Casual Pay operators can appeal to the Rocky Boy MIFF Board.
- C. All eligible employees are encouraged to use the grievance procedure. Employees shall be free from restraint, coercion, discrimination, or reprisal when using these procedures. It is the policy of the Tribe to anticipate and avoid the occurrence of complaints of grievance of employees, but respond promptly, if they occur. Grievances shall be administrated in the following manner:
  1. The employee shall present the grievance to his/her immediate supervisor in writing.
  2. The immediate supervisor shall, within five (5) working days meet with the aggrieved employee and attempt to resolve the grievance in writing. If the aggrieved employee is not satisfied or if the five days have passed with no action by the immediate supervisor, then;



3. The employee may request a meeting with the Natural Resource Director or acting Director. Upon receipt of request, the Natural Resource Director must arrange to meet with the employee within two (2) working days of the request.
4. The Natural Resource Director will then investigate the matter and attempt to resolve the grievance to the satisfaction of the employee, then
5. The Natural Resource Director shall arrange a hearing date before the Grievance Committee for the aggrieved tribal employee. The Natural Resource Director shall arrange a hearing date for any casual pay employee with the Rocky Boy MIFF Board.
6. If steps 1 through 5 are not to the aggrieved employee's satisfaction, then the employee may request a review by the Tribal Judicial System. Their decision shall be final.

## **SECTION TEN GUIDE OF PENALTIES**

### **I. Guide of Penalties:**

- A. **DUI: Immediate dismissal from use of RBFE vehicles and a five (5) year suspension per MIF Policies.**
- B. **Carelessness; Oral, written, suspension dismissal**
- C. **Failure to use safety while operating a RBFE vehicle; Dismissal from use of RBFE vehicles.**
- D. **Possession or use of narcotics or alcohol while using RBFE vehicles; Dismissal from use of RBFE vehicles**
- E. **Willful damage to RBFE vehicles; Dismissal from use of RBFE vehicles.**
- F. **Unauthorized use of RBFE vehicles; Automatic suspension and lifetime suspension per MIF Policies.**

The Natural Resource Department reserves the right to deny use of vehicles to individual drivers for violations of these Regulations and Policies and MIF and Rocky Boy Firefighter Policies.

It is recognized that general rules cannot encompass every situation for which they were intended. Unique circumstances may dictate variations to these rules. All requested variances must be documented, signed by the Natural Resource Director or by his/her

designee and submitted to the Natural Resource Department so they can be added to the RBF E Policies.

## SECTION ELEVEN ROCKY BOY FIRE ENGINE VEHICLE ACCIDENT REPORTING PACKET

### **I. Rocky Boy Fire Engine Vehicle Accident Reporting Packet:**

- A. Stop Immediately
- B. Take steps to prevent another accident at the scene.
- C. Call a doctor or an ambulance if necessary.
- D. Notify police.
- E. **DO NOT sign any paper or make any statement as to who was at fault (except to your supervisor).**
- F. Get name and address of each witness. Ask the witness to complete the Statement of Witness Form contained in this packet.
- G. State your name, address, place of employment, name of your immediate supervisor, and upon request, show your driver's license and vehicle registration paper.
- H. Complete Motor Vehicle Accident Report at the scene. If conditions prevent this, make notes of the following:
  1. Registration information for other vehicle(s) (owner's name, license number, and vehicle description);
  2. Information on other driver (name, address, driver's license number, and expiration date);
  3. Name and address of each person involved and extent of injury, if any;
  4. Name and address of each company insuring other vehicle(s) and insurance policy number; and
  5. General information such as location, time measurements, weather, damage, etc.

- I. As soon as possible, notify your supervisor and the Chippewa Cree Tribal Insurance Office listed on the front of the Vehicle Operator's Manual. CALL THE TOLL FREE NUMBER 1-800-434-3266.**
- J. If the vehicle is unsafe to operate, call the Forestry Department for instructions. If you are unable to contact the Forestry Department or the Natural Resource Department due to accident occurring after normal duty hours or on holidays, have vehicle towed to the nearest repair shop or service station. The Forestry Department must be notified concerning the vehicle's location as soon as possible.**
- K. Submit all reports and data to your supervisor within one working day.**
- L. Injuries should be processed through the Tribe's Insurance adjuster.**

**NOTE: If you are injured, have the police notify your supervisor who will assume your responsibilities for reporting the accident.**