Case Study – How Florida Expanded Its Definition of “First Responder”

Most states have legislation which outlines the state’s definition of what groups are considered “first responders” and therefore eligible for recognition and certain benefits as such. Recently, the state of Florida expanded its definition of “first responder” – this is the brief story of how this was accomplished.

First, a bit of background. In 1968, Florida voters passed three separate amendments rewriting significant portions of the Florida Constitution. One of these amendments included a provision requiring a Constitution Revision Commission (CRC) to convene and examine the Florida Constitution once every twenty years for possible changes, starting in 1977. The first CRC did in fact convene in 1977, the second in 1997 and the third in 2017. The third CRC placed 8 proposed constitutional amendments on Florida’s 2018 General Election ballot for voter consideration, including one related to first responders.

It should be noted that there are 5 methods which can be utilized to amend the Florida Constitution, but all require voter approval by a super-majority (over 60%). As Brecht Heuchan, Chairman of the CRC Style and Drafting Committee, stated: “the Commission held dozens of public meetings and reached out to thousands of Floridians across the state – it was a very inclusive and public process which resulted in the successful passage of each amendment that made it to the 2018 ballot.”

The 2017 CRC wrote Amendment #7 entitled “First Responder and Military Survivor Benefits; Public Colleges and Universities”. It was actually a combination of two somewhat different changes, one related to higher education and the other to death benefits for survivors of those killed in the line of duty.

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Significance of this Legislation to the SSPIA

While the US military and many agencies do provide death benefits to survivors already, Florida Amendment #7 went a few steps further:

(1) It legislatively defined “first responders” as firefighters; paramedics; emergency medical technicians; law enforcement, correctional or correctional probation officers; and members of the Florida National Guard.

(2) It provides mandatory payment of $50,000-150,000 death benefit (payable by the first responder’s agency) to the first responders survivors and waiver of certain educational expenses to qualifying survivors.

Notably, prior to Amendment #7, paramedics and emergency medical technicians were not considered first responders in Florida. Former Marion County Sheriff Emery Gainey, a member of the 2017-2018 CRC, explained that his “outreach to the Florida Sheriff’s Association, the Florida Police Chiefs Association and the Florida Fire Chiefs Association helped pave the way for the successful passage of this amendment.” Sheriff Gainey was a passionate champion for Amendment 7, which enshrined in the constitution language that had, in many cases, already existed in the state statutes. The amendment passed with a majority of 65.8% of the state’s voters in favor, an achievement of which Sheriff Gainey is justifiably proud.

It took the efforts of civic-minded Florida citizens like Brecht Heuchan and Emery Gainey to help lead the reform process that will help the families of most first responders in Florida. The SSPIA needs to take this lesson and apply it in Florida and other jurisdictions where not all first responders are fully defined or represented.
Benefit/Cost Analysis: Hawaii Case Study

The Hawaii Department of Transportation (HDOT) has been operating a Freeway Service Patrol (FSP) since June 2009. For the past 11 years, it has provided full-function patrol services on the highly congested limited access highways in and near Honolulu, and now has service coverage on 29 centerline miles. Because many segments of these roadways do not have shoulders to which vehicle casualties can be relocated, the FSP fleet is comprised of tow wreckers capable of moving inoperable or damaged vehicles to designated drop-off sites. The FSP has been consistently rated as one of the most popular government-provided services with an average of 95% “Excellent” and 3% “Good” ratings received through motorist surveys.

In order to determine the benefit/cost ratio for the FSP, HDOT has utilized an Excel spreadsheet model developed by the University of California at Berkeley in 2000 which uses data available to operations staff. The model estimates the following factors to determine the benefit/cost ratio:

1. Response time reduction – the difference between the estimated response time without an FSP (30 minutes is used) and the actual response time with an FSP (7.4 minutes)

2. Freeway capacity – estimated at 2100 vehicles/hour/lane

3. Delay cost - $10-16/hour/vehicle has been used

4. Fuel cost - $3-4/gallon has been used

5. Emissions – Reactive Organic Gas (ROG), Carbon Monoxide (CO), Nitrogen Oxide (NOx) (all measured in kg/day)

6. Service cost – varies depending upon the year between $82-120/vehicle service hour

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Analysis
Several factors impact the results of this formula which can differ were a similar Safety Service Patrol Benefit/Cost analysis undertaken within another jurisdiction. The Honolulu cost of living is 88% higher than the national average (average salary in Honolulu is $63k/yr.), and this impacts the cost of every aspect of the FSP (vehicles, repairs, consumables, fuel, etc.). Although the emissions reduction amounts are determined for ROG, CO and NOx, the savings do not appear to be quantified within the most recent report released to the public, so emission benefits are not part of the calculation. The 30-minute estimated response time without FSP was taken directly from California and it appears that analysis has not attempted to re-estimate this figure for Hawaii. Regardless of these items, the formula used by HDOT has yielded a benefit/cost ratio between 6.5:1 and 8.0:1 over the past 11 years.

The Hawaii DOT Freeway Service Patrol clearly generates a positive economic benefit for citizens and visitors, a fact well understood by senior DOT leadership and policymakers in the legislature. While no formula is perfect, the one used by the Hawaii DOT captures many of the tangible benefits generated by an SSP program. We hope this article has been helpful to those who are working hard to provide an economic justification for the continuation of Safety Service Patrols.

We encourage all SSP industry leaders to spread the word about the Association, its mission and purpose. Please contact Tom Clark at thomas.clark@parsons.com to get on our mailing list or to take an active role in the group.
Innovation - Effective Drone Deployment for SSP Operations

In the summer of 2016, the Georgia Department of Transportation HERO Unit took to the skies with their very own fleet of Small Unmanned Aerial Vehicles (sUAS), more commonly known as drones, to begin documenting the I-75 South Metro Express Lanes construction. The data from the flights was used to build training packages for GDOT employees that would be operating in the Express Lanes. Flight were conducted of all 50 miles of the I-75 Reversal Express Lanes that were under construction and visual aids were designed. In response to the success of the mapping the program was expanded to include emergency incident response. The drones began responding to major commercial vehicle incidents that caused major damage to the roadway and supporting features.

The drones were vital in documenting the reversal of I-16 during the evacuation of the Georgia Coast ahead of Hurricane Matthew in the fall of 2016. During the I-85 Bridge Collapse and Rebuild of 2017, the HERO Unit drone provided the vital first look at the bridge damage while fire crews were getting the scene under control. Pilots would remain on-scene for the next six weeks documenting the repair and reopening of I-85. The drones would once again prove their worth during the coastal evacuation ahead of Hurricane Dorian in 2019.

This time the drones would be equipped with thermal cameras and advanced sensors that sent real-time information to the Emergency Operations Center (EOC) in Atlanta. Those advanced sensor upgrades would allow the drones to respond to more incident types including fires, bridge collapses and roadway failures. Deployed to Tybee Island during Hurricane Dorian, the drones sent wind data back to the EOC. During its history, the HERO Unit has operated the DJI Phantom 4, Yuneec H520 and the DJI Mavic 2 Enterprise Dual. Continuous hardware and software updates, live stream technology and pilot training advancements allow the drones to be a greater resource for emergency incident responders.

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Effective drone deployment for SSP operations (continued)

The HERO Unit sUAS Fleet currently exists of three aircraft and five pilots. The HERO Unit plans to further expand the drone fleet with upgrading to the DJI Mavic Series. Compared to the vision only camera on the Phantom 4, the Mavic 2 Series includes a FLIR thermal camera as well as an upgraded vision camera. The Mavic 2 Enterprise Dual is already deployed daily with two pilots on duty that provide 20 hours of coverage every day. Our eventual goal is to reach six drones to provide aerial coverage 24 hours a day seven days a week.

HERO has already seen the benefit with the drones by partnering with DroneSense to send real-time information to the TMC and EOC. The drones have allowed the dispatchers to have overall scene awareness in areas where there are no traditional pole mounted cameras. The HERO Unit is already working with the FAA on approving flights over traffic by investing in the latest parachute technology. This provides an additional layer of safety in the event of an aircraft emergency.
How SSP Supports Major Incident Response in Georgia

In late January 2020, a loaded car hauler struck an unoccupied, disabled passenger vehicle stopped in the lanes of I-75 north of Atlanta. The hauler left the roadway and became entangled in trees. There were no injuries reported. The scene required additional resources for relocating the cargo vehicles.

This incident resulted in the activation of the Towing and Recovery Incentive Program (TRIP), a voluntary program operated by the Georgia DOT which provides an incentive to pre-qualified heavy-duty towing and recovery professionals to respond and clear an incident within a specified time window. The GDOT HERO Unit has been trained to activate TRIP, and then they work in close cooperation with the TRIP service provider for traffic control and overall scene management to accommodate the safe, quick clearance of the wreck. In this instance, the travel lanes were cleared in just 79 minutes after towing operations started, which is an impressive display of on-scene cooperation, coordination and communication among all first responders!

Do you have a story to share?  
Please forward it to Tom Clark at thomas.clark@parsons.com  
Thanks!
A Job Well Done – Recent Thanks Received by SSP Operators

“My vehicle stalled due to a tire blow out caused by a strut breaking while I was on I-494 at Lyndale. I called 911 for assistance (around 4:30 pm Feb. 18) and they sent a highway helper green truck. I didn’t even get the operator’s name but he made every effort to get me going. I was able to get my car to the shop under its own power. I want to thank this gentleman with all my heart.” Minnesota DOT FIRST – Feb. 2020

“The HERO Operator helped us when we were involved in a three-car accident. Mike 566 was very helpful and comforting in a stressful situation. We were all (the 3 of us involved) under a lot of stress and confusion. Mike 566 made sure we were all safe and uninjured. He moved our cars out of traffic lanes and was very courteous, friendly and concerned the whole time. After an accident when your head is spinning with all the things that are going on, traffic whizzing by and all the things you need to do, it is nice to have a calming presence like Mike 566 around. Please thank him for being so caring at his job and to keep up the good work.” Georgia DOT HERO – Jan. 2020

“I had a flat tire and he saw my car on the side of the highway. He approached me and offered to remove the flat tire and replace it with the spare tire. His name was Chris B. and he was very courteous and professional. I was very impressed with his promptness. He replaced the flat tire with the spare tire in no time. His politeness and professionalism really left a favorable impression on me and my wife. Great job, Hoosier Helpers and great job, Chris.” Indiana DOT Hoosier Helpers – Dec. 2019