

OPEN ROADS POLICY

State of Tennessee

"OPEN ROADS POLICY"

*Quick Clearance for Safety and Mobility
Between the Tennessee Department of Transportation,
Tennessee Department of Safety and Homeland Security, and
Tennessee Counties and Cities*

This Memorandum of Understanding (MOU) by and between the Tennessee Department of Transportation (TDOT), the Tennessee Department of Safety and Homeland Security (TDOSHS), County/City Law Enforcement and Fire and Rescue Agencies (City/County Agencies), establishes a policy for the Tennessee Highway Patrol (THP), TDOT, City/County Agencies to expedite the removal of vehicles, cargo, and debris from roadways on the State Highway System (roadways) to restore, in an URGENT MANNER the safe and orderly flow of traffic following a motor vehicle crash or incident on Tennessee's roadways. This MOU supersedes the 2012 Interagency Agreement on the Urgent Clearance of Highway Incidents signed on 2/16/12, and the previous Open Roads Policy agreements signed by TDOT and the TDOSHS on 10/12/2012. This MOU represents the consolidation and advancement of these previous agreements.

Whereas: Public safety is the highest priority and must be maintained especially when injuries or hazardous materials are involved. The quality of life in the State of Tennessee is heavily dependent upon the free movement of people, vehicles, and commerce. THP, TDOT, and City/County Agencies share the responsibility for achieving and maintaining the degree of order necessary to make this free movement possible. THP, TDOT, and City /County Agencies have the responsibility to do whatever is reasonable to reduce the risk to responders, secondary crashes, and delays associated with incidents, crashes, roadway maintenance, construction, and enforcement activities.

The following operating standards are based on the philosophy that the State Highway System will not be closed or restricted any longer than is necessary.

Be it resolved: Roadways will be cleared of damaged vehicles, spilled cargo, and debris as soon as it is safe to do so. It is understood that damage to vehicles or cargo may occur because of clearing the roadway on an urgent basis. While reasonable attempts to avoid such damage shall be taken, the highest priority is restoring traffic to normal conditions. Incident caused congestion has an enormous cost to society. This cost is significantly greater than the salvage value of an already damaged vehicle and its cargo.

Tennessee Highway Patrol Responsibilities

Members of the THP who respond to the scene of traffic incidents will make clearing the travel portion of the roadway a high priority. When an investigation is required, it will be conducted in as expedient a manner as possible considering the severity of the collision. Non-critical portions of the investigation may be delayed until lighter traffic conditions allow the completion of those tasks. The THP will only close those lanes absolutely necessary to conduct the investigation safely. Whenever practical, crashes on access-controlled roadways will be removed to exit ramps, accident investigation sites or other safe areas for completion of investigations. In the enforcement of state laws and regulations, THP will try to minimize the impacts on traffic, especially during peak commuting periods, and will not block or restrict lanes except as necessary for safety or critical investigations. THP will coordinate with TDOT representatives to set up appropriate traffic control, establish alternate routes, expedite the safe movement of traffic trapped at the scene, and restore the roadway to normal as soon as possible.

Tow trucks will be requested as soon as it is evident that they will be needed to clear the roadway. The THP will assure that all authorized tow operators have met established competency levels and that the equipment is of appropriate size, capacity and design meeting the standards for the State of Tennessee to clear the travel portions of the roadway within 90 minutes, unless extenuating circumstances exist such as the presence of hazardous materials, serious bodily injury, or a fatality.

The THP will not unnecessarily cause the delay in reopening all or part of a roadway to allow a company to dispatch their own equipment to off-load cargo or recover a vehicle or load that is impacting traffic during peak traffic hours or creating a hazard to the public. The TDOSHS and TDOT will cooperate in planning and implementing clearance operations in the most safe and expeditious manner.

The THP will encourage and assist other emergency responders in clearing incident scenes as soon as possible after their respective duties have been performed so as to reduce distractions for motorists and restore the roadway to normal operating conditions.

The THP will support the deployment of the National Traffic Incident Management Training Program in Tennessee and include information about safe and efficient traffic incident management and urgent clearance of roadways in the training provided by the TDOSHS Training Academy.

Tennessee Department of Transportation Responsibilities

When requested by the THP or City/County Agencies, TDOT will respond and deploy resources to major traffic incidents 24 hours a day, 7 days per week. Each TDOT District will develop and implement response procedures to meet the goal of providing initial traffic control within 60 minutes of notification, at all times, within the district.

TDOT will dispatch HELP trucks to incident scenes within the areas served by the HELP program. Whenever possible, TDOT will also dispatch HELP trucks outside of the normal service areas when requested by TDOSHS. TDOT will also dispatch "Protect the Queue" (PTQ) vehicles when queue lengths from the primary incident are expected to exceed one quarter($\frac{1}{4}$) mile or at the request of TDOSHS or HELP Operators.

TDOT, in cooperation with the THP, will determine and deploy the necessary heavy equipment and manpower to reopen the roadway if clearance of the travel lanes is being delayed or is determined that the task is beyond the capabilities of the wrecker service on scene. If cargo or non-hazardous spilled loads are involved, TDOT will make every effort to assist in the relocation of the materials in the shortest possible time, using whatever equipment necessary. All such materials or any vehicles relocated by TDOT will be moved as short a distance as possible to eliminate the traffic hazard.

TDOT personnel will document all hours and equipment used for traffic control, roadway clearance, and debris clean up. TDOT will place traffic control devices at the scene should any damaged vehicles or cargo remain adjacent to the travel lanes on the shoulder for removal at a later time.

When requested, TDOT will assist in establishing temporary detours and associated traffic control. TDOT will work to provide a way for traffic caught in an extended closure to exit the controlled access highway safely to an alternate route.

TDOT will install and maintain reference markers, signs and other FHWA-approved markings as requested by TDOSHS to allow quicker location of incidents and to facilitate investigation and reporting of incidents. This includes enhanced (every 0.2 mile) mile markers on all Interstate Highways.

TDOT will strive to minimize the traffic impacts of highway construction and maintenance and will consult with TDOSHS about ways to accomplish that objective. TDOT will advise TDOSHS as far in advance as possible of all construction and maintenance activities that may have a significant impact on traffic flow and safety along state highways.

Local Law Enforcement, Fire and Rescue Department Responsibilities

Members of City/County Agencies who respond to the scene of traffic incidents will make clearing the travel portion of the roadway a high priority. When investigating an incident, the investigation will be conducted in as expedient a manner as possible considering the severity of the collision (serious injuries, fatality, or hazardous materials). City/County Agencies will close only those lanes absolutely necessary to safely conduct the fire/rescue operations. City/County Agencies will coordinate with TDOT representatives to set up appropriate traffic control, establish alternate routes, expedite the safe movement of traffic trapped at the scene, and restore the roadway to normal conditions as soon as possible. As soon as TDOT has set up appropriate traffic control for the safety of the responders and travelers, City/County Agencies will move any fire/rescue apparatus or vehicles initially used to shield responders to appropriate areas.

All Agencies Shared Responsibilities:

Agencies will work together at incident scenes to promote urgent clearance, safety for motorists and emergency responders, and thorough investigations as required by the circumstances. Initial Incident Command will be established by the first responder arriving on the scene of an incident in accordance with the protocols and procedures of the NIMS.

Agencies understand that additional damage to vehicles or cargo may occur as the result of clearing the roadway on an urgent basis. The priority is treatment and recovery of injured parties, public and responder safety, and restoring the roadway to normal conditions as soon as possible. Agencies will carry out the processes and procedures for removal of vehicles, spilled cargo, or other personal property as outlined in TCA § 54-16-113.

Agencies will position emergency equipment at incident scenes to minimize the impacts on traffic flow and to avoid blocking or restricting lanes unnecessarily. Further, the parties will coordinate the use of emergency lights at incident scenes, as practical and consistent with on-scene safety, to minimize distractions to motorists. The parties will also encourage other emergency responders to position their equipment accordingly and practice light discipline.

For incidents involving hazardous materials, agencies will work together with TEMA, fire services, and other responsible agencies. Once public safety has been assured, the priority will shift to opening one lane of travel and restoring the roadway to full capacity as soon as possible.

TDOT and TDOSHS will work together to ensure that safe and efficient traffic incident management and urgent clearance of roadways is part of the training provided for all law enforcement, fire and emergency medical services, rescue squads, towing and recovery operators, and other incident responders in Tennessee through supporting the National Traffic Incident Management Training Program.

TDOT, TDOSHS, local responders, and other agencies as needed, will conduct after action review (AAR) meetings as early as possible for incidents involving the long-term closure of Tennessee highways as agreed upon by the relevant responding partners. The intent of these AAR meetings is not to assign blame for failures, but to seek to learn how process improvements can be made together to support the quick clearance of incidents.

Agencies will advise their personnel of this Agreement and promote implementation at every level of their organizations through established channels and protocol. TDOT will distribute advisory memorandums to personnel in Headquarters, Regions, Districts and County Offices.

Therefore, it is agreed as follows:

The THP, TDOT, and City/County Agencies, will evaluate and continually update and modify their operating policies, procedures, rules, and standards to assure they are consistent with this "**OPEN ROADS POLICY**" MOU.

The THP, TDOT, and City/County Agencies, will research, evaluate, and conduct training in the most advanced technologies, equipment, and approved methods for the documentation and investigation of crash or incident scenes. THP and City /County Agencies will prioritize the investigative tasks and reopen travel lanes upon completion of tasks that must be conducted, without the impediment of traffic flowing.

Roadways will be cleared as soon as possible. It is the goal of THP, TDOT, and City/County Agencies that all incidents be cleared from the roadway within 90 minutes of the arrival of the first responding officer. This goal is being made with the understanding that a more complex

scenario may require additional time for complete clearance. Incidents that extend beyond the 90-minute goal will be assessed every 30 minutes to determine an expected clearance time and reported to the appropriate communications center.

The THP, TDOT, and City /County Agencies, will determine the well-being of motorists in the event of a lengthy traffic queue and /or roadway closure and provide assistance to motorists within the stopped traffic queue whenever possible.

Agencies will meet periodically to discuss experiences with incident management and to work toward improvements. In addition to the AAR meeting described above, periodic working sessions will be held in each of the TDOT Region Offices with TDOSHS, TDOT, and other state and local agencies to discuss overall incident management and related issues. The goal will be to have a Regional TIM Taskforce (Workgroup) meeting quarterly in each of TDOT's four regions.

It is further agreed that:

The THP, TDOT, and City/County Agencies, will actively solicit and enlist other state, county, and local agencies, political subdivisions, industry groups, and professional associations to endorse and become party to this **"OPEN ROADS POLICY"** for the State of Tennessee.

MOU Execution: Use of Counterpart Signature Pages

This MOU, and any amendments hereto may be simultaneously executed in multiple counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument. Notwithstanding any other provision herein to the contrary, this MOU shall constitute an agreement amongst the parties that have executed a counterpart and parties listed but not executing shall not be deemed to be parties to the MOU.

In witness whereof, each party hereto has caused this document to be executed in its name and on its behalf by its duly authorized Chief Executive.

AGREED AND EXECUTED BY:

FOR TDOSHS:



COMMISSIONER JEFF LONG
TENNESSEE DEPARTMENT OF SAFETY AND HOMELAND SECURITY

6-16-22

DATE



COLONEL MATT PERRY
TENNESSEE HIGHWAY PATROL

6/16/22

DATE


FOR TDOT



COMMISSIONER BUTCH ELEY
TENNESSEE DEPARTMENT OF TRANSPORTATION

6/16/22

DATE



CHIEF ENGINEER, PAUL DEGGES
TENNESSEE DEPARTMENT OF TRANSPORTATION

6-16-22

DATE

Tennessee's

"OPEN ROADS POLICY"
Quick Clearance for Safety and Mobility

Local Agency

By: _____

Print /Type Name : _____

Title: _____

Date: _____

ADDITIONAL SIGNATORIES

Name	Title	Date
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Name	Title	Date
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Name	Title	Date
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Name	Title	Date
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