



LEAST RESISTANCE TRAINING CONCEPTS
PROCEDURE GUIDE No. 22-01
**REVISED HIGHWAY RESPONSE SAFETY
PROTOCOLS**



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Responses to reports of horses / livestock on state operated highways

This Procedure Guide addresses **General Safety Orders** and supersedes all previous guides in order to comply with the latest Lyon County and state training standards.

Background:

Several years ago, NDOT changed the locks on ROW escape gates. Previously certain members of law enforcement, animal control officers and brand inspectors carried keys to facilitate rapid removal of horses. NDOT changed the locks, an action that has resulted in excessive delays in relocating livestock back onto the range, and on multiple occasions the animals have drifted into active traffic during such delays, in a couple of instances causing accidents.

It is not unusual for responders to wait up to an hour (occasionally longer) for NDOT personnel to arrive. Aside from the disrespect for these front-line volunteers' time, these delays increase risks to the volunteers, the motoring public and the animals as well as increasing the at-scene commit time of law enforcement personnel.

Furthermore, perceived inaction on the part of members at the scene could incur a claim of civil liability in the event of a serious accident, regardless as to restraints caused by NDOT policies.

In summation, members will no longer respond to wait extended times and try to manage a situation that otherwise could be immediately resolved.

Discussion:

In calendar year 2023, volunteers responded to 157 incidents of horses or other livestock on highways or in traffic on secondary roads, comprising about 28% of the total calls for the year. Calls originated from NHP, local law enforcement, fire agencies and citizens on-scene. This Procedure Guide provides protocols and procedures to be followed for all such incidents.

Responder Qualifications:

IS-100.c, IS-700.b, National TIM Certificate, Emergency Livestock Handling (within past 2 years)

1. Safety Policy:

- 1.1 Safety is the overarching priority in all responses. No procedure or protocol provided in this Procedure Guide shall supersede the use of sound judgment as may be appropriate to maximize incident safety.
- 1.2 All responders shall wear appropriate ANSI Class-II or Class-III vests or jackets and appropriate helmets whenever operating on or near any active traffic lanes.
- 1.3 In circumstances where responders cannot reliably communicate by direct voice, portable radios shall be utilized.
- 1.4 All responders shall park in appropriate locations clear of traffic lanes, in positions that avoid blocking the view of approaching motorists of the activities that are taking place, and with wheels locked at critical angles per TIM protocols.
- 1.5 All responders shall size-up the scene before taking action. If the line-of-sight of approaching vehicles is limited or obstructed, if lighting conditions are poor, if the livestock are active and may drift into traffic lanes, or if any other safety issues are apparent, activities shall fall under “work it or leave it” protocols until appropriate law enforcement personnel arrive to manage traffic issues.
- 1.6 All members shall exercise due caution when returning into active traffic after taking positions on roadway shoulders or medians.
- 1.7 An LRTC tactical radio shall be provided to law enforcement for control and coordination.

2. Additional Mandatory Safety Issues

- 2.1. Members shall not respond directly to reports of horses or other livestock on fenced sections of state operated highways with posted speeds of 45 MPH or greater until after Law Enforcement (LE) has arrived and is on-scene to take responsibility for traffic Management and operational safety. Members shall report to a designated Staging Area Nearby, at which point if we are requested to resolve the hazard, we will respond.
- 2.2. In circumstances where immediate egress of animals within the right-of-way are compromised (i.e., locked escape gates) that require the arrival of NDOT personnel to facilitate providing egress, members shall consult with LE to establish an appropriate staging area where they will remain clear of the incident scene until resources arrive to facilitate the removal of the animals utilizing established best practices. If NDOT has an extended ETA and no practical alternative is available, members may be free to take up.
- 2.3. Some NHP Troopers have been issued gate keys. If an escape gate needs to be opened, the

responding members' Incident Commander shall make inquiries as to whether keys are available.

- 2.4. Nondestructive alterations of highway / roadway infrastructure (e.g., unbolting gates, opening wire fences where previously opened) may be undertaken in circumstances so warranting and upon direction of LE having jurisdiction.
- 2.5. If law enforcement takes up prior to resolution of the incident and the incident cannot be resolved forthwith, the members shall take up.
- 2.6. This bulletin shall not be interpreted to prevent members from surveying fencing for the point where the animal(s) entered onto the right-of-way so long as doing so can be done safely, not interfere with the movement of traffic, or disturb the animals.