

# MISSOURI OPEN ROADS AGREEMENT

## Quick Clearance for Safety and Mobility

Between the Missouri Department of Transportation, Missouri State Highway Patrol,  
responding Missouri agencies, public and private responders.

Relative to

### **MISSOURI'S URGENT CLEARANCE OF HIGHWAY INCIDENTS AND SAFETY AT INCIDENT SCENES**

Memorandum of Understanding (MOU) for Traffic Incident Management on Missouri's roadways by and between the Federal, State, County, City, Local, Private and other Emergency Response partners, associates and other affiliates listed or attached to this MOU.

This memorandum of understanding by and between the participating parties named below is to provide guidance for personnel representing the responding disciplines relative to incidents including but not limited to Missouri interstates, highways, major and minor routes. This includes but is not limited to crashes, lane closures, (spilled cargo, debris, etc.) to ensure public and responder safety and promote the safe, orderly flow of traffic. The MOU specifically focuses on the safety of emergency responders, the public and restoring roadways to full capacity as soon as possible following an incident using clear communication between responding parties; utilizing strategies and tactics that support the National Unified Goal (NUG).

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 Missouri is heavily dependent upon the free movement of people, vehicles, and commerce. State and City/County Agencies share the responsibility for achieving and maintaining the degree of order necessary to make this free movement possible. State 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.

WHEREAS: Traffic congestion is a growing problem in Missouri, especially on the controlled access highways which carry the highest traffic volumes.

WHEREAS: When congestion increases, so do the costs—in wasted time, fuel and money, missed schedules and late deliveries, increased air pollution and road rage.

WHEREAS: National studies have shown that approximately 60% of all congestion is related to incidents (e.g., crashes, stalled vehicles, debris, special events, road work) rather than inadequate roadway capacity.

WHEREAS: National studies have shown that up to 20% of all collisions on controlled-access highways are "secondary," attributable to an earlier incident that has not been fully cleared.

WHEREAS: Emergency responders are especially at risk at the scene of incidents on high-speed, controlled-access roadways.

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

NOW, THEREFORE, BE IT RESOLVED THAT:

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 as a result 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.

The purpose of this memorandum is to facilitate joint efforts to alleviate the growing problems associated with incidents on Missouri's roadways, especially the controlled-access roadways, by emphasizing URGENT AND SAFE CLEARANCE of highway incidents.

### **Shared Responsibilities (All Agencies Partners, Associates and Affiliates)**

The Parties will:

1. Coordinate on an urgent basis for safe quick clearance, the deployment of equipment and manpower and work together at incident scenes to re-open the roadway, promoting safety for motorists and emergency responders 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 NIMS.
2. Adopt a goal that all incidents be cleared safely from the roadway in an urgent expedient manner with a goal of no greater than ninety (90) minutes of the arrival of the first responder. This goal is being made with the understanding that more complex incident environments may require additional time for complete clearance. If the ninety (90) minute goal is unattainable, a report on the current conditions and expected clearance time shall be communicated to the Traffic Management Center (TMC) or MoDOT on-scene representative by Incident Command. A major change in the incident should be communicated to all parties.
3. Roadways will be cleared of damaged vehicles, spilled cargo, and debris as soon as it is safe to do so carrying out the processes and procedures for removal of vehicles, spilled cargo, or other personal property as outlined in the current presiding Missouri Revised Statute RSMO 304.155.
4. Use 'Best Practices' as outlined in the National Traffic Incident Management (TIM) training program by positioning emergency equipment along with the use of emergency lights to minimize the impacts to traffic flow and to avoid blocking or restricting lanes

unnecessarily. The parties will also encourage other emergency responders to use these national best practices.

5. Implement the National Traffic Incident Management (TIM) training program for the safety of field personnel responding to roadway incidents and the public at incident scenes. Actively promote the National Unified Goal (NUG) of “safe quick clearance” and partner with the Missouri’s Chiefs of Police, Sheriff’s Association, Fire Chiefs, Trucking Association, Towing Association and the media.
6. Work together on incidents that require specific discipline experts such as incidents involving hazardous materials, fatalities, criminal investigations, structure damage etc. Assess and communicate the magnitude of the incident with appropriate incident command staff in order to determine alternatives to minimize impacts to traffic flow. Once public safety has been assured and scene has been released from the investigation the priority will shift to restoring the roadway to full capacity as soon as possible.
7. As allowed in an agency’s protocols: Following incidents with special, or unique dynamics that result in uncommon closures of an Interstate or roadway; TIM stakeholders may review an incident for the purpose of expanding best practice strategies and tactics in TIM response. These reviews should take place within ten (10) working days, unless unusual circumstances such as scheduling conflicts or agency protocols require additional time, postponement or exclusion. The purpose of the after-action review is not to find fault or to assign blame but to identify opportunities for improvements in response procedures, training, or allocation of resources. It is understood that this does not prohibit an agency from requesting an after-action review of any incident. Participate in after-action incident reviews is a key strategy in traffic incident management nationwide. Periodic working sessions may be held at a MoDOT District or other designated venues for state, local and private agencies to review overall incident management and related issues.
8. Work together to develop plans and procedures for diverting traffic from controlled-access highways, including pre-designated alternate routes to facilitate the effective management of traffic incidents and other emergencies.
9. Partner to promote the safe and efficient traffic incident management and quick clearance of roadways as part of the training provided for all incident responders in Missouri.
10. Develop and maintain official contact lists to improve the communication of information related to traffic incidents.

Nothing in this MOU shall restrict or prohibit any Local Agency from entering into a separate MOU similar or the same in nature as this.

This Memorandum of Understanding is not an enforceable agreement among the parties but is a statement of cooperative intent. In no matter, whether directly or indirectly, does this MOU establish a standard of care or in any way create third party beneficiary rights.

AGREED AND EXECUTED BY:

MOB DOT (Agency) DEPUTY DIRECTOR (Title) [Signature] (signature) Date: 11/8/21

MSHP (Agency) SUPERINTENDENT (Title) [Signature] (signature) Date: 11-8-21

MoDNR (Agency) DEQ Deputy Director (Title) [Signature] (signature) Date: 11/8/21

Mo. Div. of Fire Safety (Agency) Assistant State Fire Marshal (Title) [Signature] (signature) Date: 11/8/21

DHSS (Agency) CHIEF DIVISION DIRECTOR (Title) [Signature] (signature) Date: 11/8/2021

MTTA Board member [Signature] (signature) 11/8/2021

**\*\*\*Insert Discipline/Agency\*\*\* Tactics**

When notified of an emergency incident, the \*\*\*Insert Discipline/Agency\*\*\* will

**Attachment 1**  
(Objectives & Strategies)

<b>Objectives</b>	<b>Strategies</b>
Detection and verification of incidents	Assess incident scene to classify incident in terms of estimated length of road/lane closures.
Early communication among agencies	In the event of a major or intermediate incident, inter-agency communication will be initiated within 30 minutes of the assessment of the incident scene.
Reduce Impact of Incident	Early detection and verification of occurrences
Reduce Secondary Events	Reduce Average time to clear Highway
Reduce Traffic Queue/Back-up	Increase the use of alternate routes Advanced Warning to motorists.
Reduce Erratic Behavior due to Motorists Frustration	Improve Traveler Information to the Motorist Decrease roadway and lane closure times
Improve Safety for Responders and Motorists	Minimize Recovery and Clearance Times Provide for safe travel through incident scene Adhere to adopted policies, procedures and state laws (move over law)
Quick Clearance of Lane Closing Incidents	<90-minute Lane/Roadway Clearance Goal All responders trained in TIMs Responder Training
Improve Motorist Information	On scene Incident Command or lead response agency provide MoDOT TMCs with updates concurrently as conditions or lane restrictions change. TMCs provide timely updates to motorists.

## GLOSSARY OF ACRONYMS AND TERMS

For clarification and consistency, the following category definitions will be used:

Major	Duration of 2 hours and more
Intermediate	Duration of 30 min to 2 hours
Minor	Duration of less than 30 minutes
MSHP	Missouri State Highway Patrol
MoDOT	Missouri Department of Transportation
SEMA	State Emergency Management Agency
NIMS	National Incident Management System
TMC	Transportation Management Center
MUTCD	Manual on Uniform Traffic Control Devices of the Federal Highway
SHRP2	Strategic Highway Research Program 2 (Current Multidisciplinary Training Program)
TIM	Traffic Incident Management
DMS	Dynamic Message Sign
CMS	Changeable Message Sign