

EMERGENCY VEHICLE LAW –Including Move Over section

§1 — Operation of vehicles (and streetcars) on approach of authorized emergency vehicles

(a) Upon the immediate approach of an authorized emergency vehicle making use of an audible signal meeting the requirements of subsection (b) and visual signals meeting the requirements of subsection (c), or of a police vehicle properly and lawfully making use of an audible signal only:

1. The driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right edge or curb of the roadway clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.
2. Upon the approach of an authorized emergency vehicle, the operator of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.¹

(b) Every authorized emergency vehicle shall be equipped with a siren, whistle, or bell, capable of emitting sound audible under normal conditions from a distance of not less than 500 feet and of a type approved by the department, but the siren only shall be used when the vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which event the driver of the vehicle shall sound the siren when reasonably necessary to warn pedestrians and other drivers of the approach of the vehicle.

(c) In addition to any other equipment required by this code, every authorized emergency vehicle shall be equipped with signal lights which shall be capable of displaying flashing, rotating or oscillating beams of red and white light (*or flashing, rotating or oscillating beams of red light*).² These lights shall be visible 180 degrees around the front of the vehicle and shall be approved by the commissioner. A police vehicle used as an

¹ Subparagraph (a)2 should be omitted in states where no streetcars are in operation.

² Research indicates that flashing, rotating or oscillating red and white lights are the best means of informing pedestrians and drivers of the approach of an authorized emergency vehicle. The language in parentheses about red lights should be enacted by a state which prefers an all-red display and by any state needing to permit both displays until all authorized emergency vehicles have red-white lights. Jurisdictions not utilizing either flashing red, or flashing red and white lights, should insert the colors required by the jurisdiction.

authorized emergency vehicle may but need not be equipped with the lights specified by this subsection.

(d) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

§2 — Vehicles Approaching Emergency Vehicles with Activated Lights

(a) Upon approaching a stationary authorized emergency vehicle when that vehicle is giving a signal by displaying *flashing red, or red and white lights*³, a person who drives an approaching vehicle shall:

(1) proceeding with due caution, yielding the right-of-way by making a lane change into a lane not adjacent to that of the authorized emergency vehicle if safety and traffic conditions permit and if on a highway having at least 4 lanes proceeding in the same direction as the authorized emergency vehicle; or

(2) proceed with due caution, maintaining a safe speed for road conditions if changing lanes would be unsafe or would reduce traffic flow.

(b) If a violation of this section results in a catastrophic injury or death to another person, in addition to any other penalty imposed by law, the violator's driver's license shall be suspended for a period of at least one year and not more than 5 years and the violator may be sentenced up to one year in jail.

§3 — Road User Duties Approaching Incidents

(a) When in or approaching an incident, every driver shall maintain a speed no greater than is reasonable and prudent under the conditions, including actual and potential hazards then existing.

(b) When in or approaching an incident area, every driver shall obey the directions of any authorized official directing traffic and all applicable traffic control devices.

(c) Except for emergency vehicles in the incident area, when in or approaching an incident area every driver shall reduce speed and vacate any lane wholly or partially blocked.

(d) If a violation of this section results in a catastrophic injury or death to another person, in addition to any other penalty imposed by law, the violator's driver's license shall be suspended for a period of at least one year and not more than 5 years and the violator may be sentenced up to one year in jail.

³ Jurisdictions not utilizing either flashing red, or flashing red and white lights, should insert the colors required by the jurisdiction.

§ 4 — Avoidance of Lane Blockage -- Expedited Removal of Vehicles

(a) No person shall stop or park a vehicle in such manner as to impede or render dangerous the use of the roadway by others, except to avoid collision, at the direction of an authorized official, or in the case of a crash or mechanical breakdown.

(b) In the event of a crash or mechanical breakdown, the emergency flashing lights of such vehicle shall be activated if the vehicle is equipped with such lights and such lights are in working order.

(c) If a vehicle stopped in the roadway is movable and its driver is capable of moving it, the driver shall immediately move the vehicle to the shoulder or to a designated area off the highway.

(d) A responder to an incident may move a vehicle remaining on the roadway, or require the driver or other person in charge of the vehicle to move it to the shoulder or a designated area off the highway.

(e) A law-enforcement officer may order the removal of any vehicle remaining on the highway at the owner's expense. The vehicle's location shall be reported to the nearest law-enforcement agency as soon as practicable.

§5. — Authorized Emergency Vehicle

(a) (1) "Authorized emergency vehicle" means any fire department vehicle, police vehicle and ambulance that is publicly owned, and any other publicly or privately owned vehicles designated by the commissioner (*or other appropriate state official*) as authorized emergency vehicles" pursuant to subsection (b).

(2) The commissioner (or other appropriate state official) may designate a vehicle as an authorized emergency vehicle upon a finding that designation of that vehicle is necessary to the preservation of life or property or to the execution of emergency governmental functions.

(3) The designation provided in subparagraph (1) shall be in writing, and the written designation shall be carried in the vehicle at all times; but failure to carry the written designation shall not affect the status of the vehicle as an authorized emergency vehicle.

(b) The driver of an authorized emergency vehicle, when responding to an emergency call, fire alarm or in the pursuit of an actual or suspected violator of the law, may:

1. Park or stand, irrespective of the provisions of this chapter;
2. Proceed past a red or stop signal or stop sign, but only after slowing down as necessary for safe operation;

3. Exceed the maximum speed limits if life or property are not thereby endangered;
4. Disregard regulations governing direction of movement or turning in specified directions.

(c) The exemptions granted by subsection (b) to an authorized emergency vehicle shall apply only when such vehicle is making use of an audible signal meeting the requirements of § 12-401 (d) and visual signals meeting the requirements of § 12-214 of this code, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a signal visible from in front of the vehicle. The exemptions granted by subsection (b) do not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of the driver's reckless disregard for the safety of others.

§ 6 —Obedience to authorized persons directing traffic

(a) No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer, firefighter, flagger at highway construction or maintenance site, or uniformed adult school crossing guard invested by law with authority to direct, control or regulate traffic.

(b) A police officer at the scene of an accident shall have the authority to control crowds of persons, restore order, open lanes of traffic by causing vehicles to be moved, direct traffic, investigate the cause of the accident, and control the clearing of the scene. All persons at the scene, including but not limited to firefighters, ambulance drivers, paramedics, tow truck operators, and other emergency service personnel, shall obey the lawful orders of a police officer.

(c) When flaggers at highway construction or maintenance sites are directing traffic, they shall use devices and procedures conforming to the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways.

§ 7 —Stopping, standing or parking outside business or residence districts

(a) Outside a business or residence district no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the roadway when it is practicable to stop, park or so leave such vehicle off the roadway, but in every event an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicle shall be available from a distance of 200 feet in each direction upon such highway.

(b) This section shall not apply to the driver of any vehicle which is disabled in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the vehicle on the roadway.