

HOUSE BILL 1263

R5
HB 671/07 – ENV

8lr0969

By: **Delegates Bates, Aumann, Barkley, Boteler, Conaway, DeBoy, Eckardt, George, Haddaway, Kelly, Kullen, Miller, Myers, Robinson, Shank, Shewell, Sossi, Stukes, F. Turner, and Wood**

Introduced and read first time: February 8, 2008

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Emergency and Police Vehicle and Personnel Protection Act**

3 FOR the purpose of requiring drivers approaching emergency or police vehicles
4 stopped, standing, or parked on a highway and using any visual signals, except
5 when otherwise directed by a police officer, to vacate the lane closest to the
6 emergency or police vehicle under certain circumstances and to slow to a speed
7 that is sufficient to ensure the safety of police officers or emergency services
8 personnel in the vicinity of the emergency or police vehicle under certain
9 circumstances; establishing a certain penalty for a violation of this Act; and
10 generally relating to requiring drivers to take certain actions when approaching
11 emergency or police vehicles on a highway.

12 BY repealing and reenacting, with amendments,
13 Article – Transportation
14 Section 21–405
15 Annotated Code of Maryland
16 (2006 Replacement Volume and 2007 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Transportation**

20 21–405.

21 (a) On the immediate approach of an emergency vehicle using audible and
22 visual signals that meet the requirements of § 22–218 of this article or of a police
23 vehicle lawfully using an audible signal, the driver of every other vehicle, unless
24 otherwise directed by a police officer, shall yield the right-of-way.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) On the immediate approach of an emergency vehicle using audible and
2 visual signals that meet the requirements of § 22–218 of this article or of a police
3 vehicle lawfully using an audible signal, the driver of every other vehicle, unless
4 otherwise directed by a police officer, shall drive immediately to a position parallel to
5 and as close as possible to the edge or curb of the roadway, clear of any intersection.

6 (c) On the immediate approach of an emergency vehicle using audible and
7 visual signals that meet the requirements of § 22–218 of this article or of a police
8 vehicle lawfully using an audible signal, the driver of every other vehicle, unless
9 otherwise directed by a police officer, shall stop and stay in this position until the
10 emergency vehicle has passed.

11 (d) A driver, when proceeding in the same direction as an emergency or
12 police vehicle, may not pass an emergency vehicle using audible and visual signals
13 that meet the requirements of § 22–218 of this article or a police vehicle lawfully using
14 an audible signal unless:

15 (1) The emergency vehicle has stopped; or

16 (2) Otherwise directed by a police officer.

17 (e) **(1) EXCEPT AS OTHERWISE DIRECTED BY A POLICE OFFICER,**
18 **WHEN AN EMERGENCY OR POLICE VEHICLE USING ANY VISUAL SIGNAL IS**
19 **STOPPED, STANDING, OR PARKED ON A HIGHWAY, THE DRIVER OF A VEHICLE**
20 **APPROACHING THE EMERGENCY OR POLICE VEHICLE FROM THE REAR, AS SOON**
21 **AS IT IS SAFE, SHALL:**

22 **(I) IF THE VEHICLE IS TRAVELING ON A HIGHWAY WITH**
23 **TWO OR MORE LANES OF TRAFFIC MOVING IN THE DIRECTION THAT THE**
24 **EMERGENCY OR POLICE VEHICLE IS FACING, VACATE THE LANE CLOSEST TO**
25 **THE EMERGENCY OR POLICE VEHICLE; OR**

26 **(II) IF THE VEHICLE IS TRAVELING ON A HIGHWAY WITH**
27 **ONLY ONE LANE OF TRAFFIC MOVING IN THE DIRECTION THAT THE EMERGENCY**
28 **OR POLICE VEHICLE IS FACING AND THE POSTED SPEED LIMIT IS 35 MILES PER**
29 **HOUR OR GREATER, SLOW TO A SPEED THAT IS SUFFICIENT TO ENSURE THE**
30 **SAFETY OF POLICE OFFICERS OR EMERGENCY SERVICES PERSONNEL IN THE**
31 **VICINITY OF THE EMERGENCY OR POLICE VEHICLE.**

32 **(2) A PERSON WHO IS CONVICTED OF A VIOLATION OF THIS**
33 **SUBSECTION IS SUBJECT TO A FINE OF \$75.**

34 **(F)** This section does not relieve the driver of an emergency vehicle from the
35 duty to drive with due regard for the safety of all persons.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2008.