

LD1653200

## HOUSE BILL NO. 1961

Offered January 20, 1995

A BILL to amend and reenact §§ 46.2-920 and 46.2-1023 of the Code of Virginia, relating to vehicles of the Office of Emergency Medical Services.

Patrons—DeBoer and Dickinson

Referred to Committee on Roads and Internal Navigation

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-920 and 46.2-1023 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-920. Emergency vehicles exempt from regulations in certain situations; exceptions and additional requirements.

A. The driver of any emergency vehicle, when such vehicle is being used in the performance of public services, and when such vehicle is operated under emergency conditions, may, without subjecting himself to criminal prosecution:

1. Disregard speed limits, while having due regard for safety of persons and property;
2. Proceed past any steady or flashing red signal, traffic light, stop sign, or device indicating moving traffic shall stop if the speed of the vehicle is sufficiently reduced to enable it to pass a signal, traffic light, or device with due regard to the safety of persons and property;
3. Park or stop notwithstanding the other provisions of this chapter;
4. Disregard regulations governing a direction of movement of vehicles turning in specified directions so long as the operator does not endanger life or property;
5. Pass or overtake, with due regard to the safety of persons and property, another vehicle at any intersection;

6. Pass or overtake with due regard to the safety of persons and property, while en route to an emergency, other stopped or slow-moving vehicles, by going off the paved or main traveled portion of the roadway on the right. Notwithstanding other provisions of this section, vehicles exempted in this instance will not be required to sound a siren or any device to give automatically intermittent signals.

B. The exemptions granted to emergency vehicles by subsection A of this section shall apply only when the operator of such vehicle displays a flashing, blinking, or alternating emergency light or lights as provided in §§ 46.2-1022 and 46.2-1023 and sounds a siren, exhaust whistle, or air horn designed to give automatically intermittent signals, as may be reasonably necessary, and, only when there is in force and effect for such vehicle either (i) standard motor vehicle liability insurance covering injury or death to any person in the sum of at least \$100,000 because of bodily injury to or death of one person in any one accident and, subject to the limit for one person, to a limit of \$300,000 because of bodily injury to or death of two or more persons in any one accident, and to a limit of \$20,000 because of injury to or destruction of property of others in any one accident or (ii) a certificate of self-insurance issued pursuant to § 46.2-368. Such exemptions shall not, however, protect the operator of any such vehicle from criminal prosecution for conduct constituting reckless disregard of the safety of persons and property. Nothing in this section shall release the operator of any such vehicle from civil liability for failure to use reasonable care in such operation.

C. For the purposes of this section, the term "emergency vehicle" shall mean:

1. Any law-enforcement vehicle operated by or under the direction of a federal, state, or local law-enforcement officer (i) in the chase or apprehension of violators of the law or persons charged with or suspected of any such violation, or (ii) in response to an emergency call;
  2. Any regional detention center vehicle operated by or under the direction of a correctional officer responding to an emergency call or operating in an emergency situation;
  3. Any vehicle used to fight fire, including publicly-owned state forest warden vehicles, when traveling in response to a fire alarm or emergency call;
  4. Any ambulance, rescue, or life-saving vehicle designed or used for the principal purpose of supplying resuscitation or emergency relief where human life is endangered;
  5. Any Department of Emergency Services vehicle or Office of Emergency Medical Services vehicle, when responding to an emergency call or operating in an emergency situation; and
  6. Any Department of Corrections vehicle designated by the Director of the Department of Corrections, when (i) responding to an emergency call at a correctional facility, (ii) participating in a drug-related investigation, (iii) pursuing escapees from a correctional facility, or (iv) responding to a request for assistance from a law-enforcement officer.
- D. Any law-enforcement vehicle operated by or under the direction of a federal, state, or local

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60 law-enforcement officer may disregard speed limits, while having due regard for safety of persons and  
61 property, (i) in testing the accuracy of speedometers of such vehicles or (ii) in testing the accuracy of  
62 speed measuring devices specified in § 46.2-882. § 46.2-1023. Flashing red or red and white warning  
63 lights.

64 Fire apparatus, forest warden vehicles, ambulances, rescue and life-saving vehicles, vehicles of the  
65 Department of Emergency Services, *vehicles of the Office of Emergency Medical Services*, animal  
66 warden vehicles, and vehicles used by security personnel of the Newport News Shipbuilding and  
67 Drydock Company, Bassett-Walker, Inc., Tultex Corporation, and, within those areas specified in their  
68 orders of appointment, by special conservators of the peace and policemen for certain places appointed  
69 pursuant to §§ 19.2-13 and 19.2-17 may be equipped with flashing, blinking, or alternating red or red  
70 and white combination warning lights of types approved by the Superintendent.

71 § 46.2-1023. Flashing red or red and white warning lights.

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