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**HOUSE BILL NO. 2542**

Offered January 19, 2009

*A BILL to amend and reenact § 46.2-921.1 of the Code of Virginia, relating to yielding of right-of-way, etc., when approaching stationary emergency vehicles on highway; penalties.*

Patron—Valentine

Referred to Committee on Transportation

**Be it enacted by the General Assembly of Virginia:**

**1. That § 46.2-921.1 of the Code of Virginia is amended and reenacted as follows:**

§ 46.2-921.1. Drivers to yield right-of-way or reduce speed when approaching stationary emergency vehicles on highways; penalties.

The driver of any motor vehicle, upon approaching a stationary emergency vehicle, ~~as defined in § 46.2-920~~, that is displaying a flashing, blinking, or alternating emergency light or lights as provided in §§ 46.2-1022, 46.2-1023, and 46.2-1024, shall (i) on a highway having at least four lanes, at least two of which are intended for traffic proceeding as the approaching vehicle, proceed with caution and, if reasonable, with due regard for safety and traffic conditions, yield the right-of-way by making a lane change into a lane not adjacent to the stationary emergency vehicle or (ii) if changing lanes would be unreasonable or unsafe, proceed with due caution and maintain a safe speed for highway conditions.

Violation of any provision of this section shall constitute a Class 1 misdemeanor. If the violation resulted in damage to property of another person, the court may, in addition, order the suspension of the driver's privilege to operate a motor vehicle for not more than one year. If the violation resulted in injury to another person, the court may, in addition to any other penalty imposed, order the suspension of the driver's privilege to operate a motor vehicle for not more than two years. If the violation resulted in the death of another person, the court may, in addition to any other penalty imposed, order the suspension of the driver's privilege to operate a motor vehicle for two years.

*For the purposes of this section, "emergency vehicle" means:*

*1. Any government-owned or -leased law-enforcement vehicle operated by or under the direction of a federal, state, or local law-enforcement officer;*

*2. Any government-owned or leased vehicle used to respond to or fight fire; or*

*3. 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.*

INTRODUCED

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