



Reprinted
January 28, 2020

HOUSE BILL No. 1225

DIGEST OF HB 1225 (Updated January 27, 2020 6:51 pm - DI 139)

Citations Affected: IC 9-19; IC 9-21; IC 35-52.

Synopsis: Failure to yield to emergency vehicles. Removes the requirement that school buses have black reflective tape affixed on the bumpers and sides of the bus. Provides that, in certain instances, a person who: (1) fails to yield to an emergency vehicle; and (2) causes serious bodily injury or death to any person operating, occupying, or affiliated with the authorized emergency vehicle; commits a Level 6 felony.

Effective: July 1, 2020.

McNamara

January 13, 2020, read first time and referred to Committee on Courts and Criminal Code.
January 23, 2020, reported — Do Pass.
January 27, 2020, read second time, amended, ordered engrossed.

HB 1225—LS 6489/DI 123



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Second Regular Session of the 121st General Assembly (2020)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

HOUSE BILL No. 1225

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-19-13-4, AS AMENDED BY P.L.144-2019,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2020]: Sec. 4. A bus used to transport school children must be
4 equipped as follows:
5 (1) At least two (2) signal lamps mounted as high and as widely
6 spaced laterally as practicable, capable of displaying the front two
7 (2) alternately flashing red lights located at the same level, and
8 having sufficient intensity to be visible at five hundred (500) feet
9 in normal sunlight.
10 ~~(2) Black reflective tape mounted on:~~
11 ~~(A) each side of the school bus;~~
12 ~~(B) the front bumper; and~~
13 ~~(C) the rear bumper.~~
14 ~~(3) (2)~~ As required by the state school bus committee under
15 IC 20-27-3-4.
16 ~~(4) (3)~~ As required by IC 20-27-9.
17 SECTION 2. IC 9-19-14-4, AS AMENDED BY P.L.188-2015,

HB 1225—LS 6489/DI 123



1 SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2020]: Sec. 4. (a) The use of signal equipment described in
3 this chapter imposes upon a driver of another vehicle the duty to yield
4 right-of-way and stop as prescribed in IC 9-21-8-35.

5 (b) A driver who fails to yield right-of-way to and stop as prescribed
6 in IC 9-21-8-35 for an emergency vehicle operating in an official
7 capacity commits a Class C infraction. **However, the offense is a**
8 **Level 6 felony if the person's failure to comply as described in this**
9 **subsection results in serious bodily injury or death to any person**
10 **operating, occupying, or affiliated with an emergency vehicle**
11 **operating in an official capacity.**

12 SECTION 3. IC 9-21-8-35, AS AMENDED BY P.L.256-2017,
13 SECTION 160, IS AMENDED TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2020]: Sec. 35. (a) Upon the immediate
15 approach of an authorized emergency vehicle, when the person who
16 drives the authorized emergency vehicle is giving audible signal by
17 siren or displaying alternately flashing red, red and white, or red and
18 blue lights, a person who drives another vehicle shall do the following
19 unless otherwise directed by a law enforcement officer:

20 (1) Yield the right-of-way.

21 (2) Immediately drive to a position parallel to and as close as
22 possible to the right-hand edge or curb of the highway clear of any
23 intersection.

24 (3) Stop and remain in the position until the authorized
25 emergency vehicle has passed.

26 (b) Upon approaching a stationary authorized emergency vehicle,
27 when the authorized emergency vehicle is giving a signal by displaying
28 alternately flashing red, red and white, or red and blue lights, a person
29 who drives an approaching vehicle shall:

30 (1) proceeding with due caution, yield the right-of-way by making
31 a lane change into a lane not adjacent to that of the authorized
32 emergency vehicle, if possible with due regard to safety and
33 traffic conditions, if on a highway having at least four (4) lanes
34 with not less than two (2) lanes proceeding in the same direction
35 as the approaching vehicle; or

36 (2) proceeding with due caution, reduce the speed of the vehicle
37 to a speed at least ten (10) miles per hour less than the posted
38 speed limit, maintaining a safe speed for road conditions, if
39 changing lanes would be impossible or unsafe.

40 A person who violates this subsection commits a Class A infraction.
41 **However, the offense is a Level 6 felony if the person's failure to**
42 **comply with this subsection results in serious bodily injury or**



1 **death to any person operating, occupying, or affiliated with an**
 2 **authorized emergency vehicle described in this subsection.**

3 (c) Upon approaching a stationary recovery vehicle, a stationary
 4 utility service vehicle (as defined in IC 8-1-8.3-5), a stationary solid
 5 waste hauler, a stationary road, street, or highway maintenance vehicle,
 6 or a stationary survey or construction vehicle, when the vehicle is
 7 giving a signal by displaying alternately flashing amber lights, a person
 8 who drives an approaching vehicle shall:

9 (1) proceeding with due caution, yield the right-of-way by making
 10 a lane change into a lane not adjacent to that of the recovery
 11 vehicle, utility service vehicle, solid waste hauler, or road, street,
 12 or highway maintenance vehicle, if possible with due regard to
 13 safety and traffic conditions, if on a highway having at least four
 14 (4) lanes with not less than two (2) lanes proceeding in the same
 15 direction as the approaching vehicle; or

16 (2) proceeding with due caution, reduce the speed of the vehicle
 17 to a speed at least ten (10) miles per hour less than the posted
 18 speed limit, maintaining a safe speed for road conditions, if
 19 changing lanes would be impossible or unsafe.

20 A person who violates this section commits a Class B infraction.

21 (d) This section does not operate to relieve the person who drives an
 22 authorized emergency vehicle, a recovery vehicle, a utility service
 23 vehicle, solid waste hauler, a road, street, or highway maintenance
 24 vehicle, or a stationary survey or construction vehicle from the duty to
 25 operate the vehicle with due regard for the safety of all persons using
 26 the highway.

27 SECTION 4. IC 35-52-9-11.3 IS ADDED TO THE INDIANA
 28 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 29 [EFFECTIVE JULY 1, 2020]: **Sec. 11.3. IC 9-19-14-4 defines a crime**
 30 **concerning traffic regulation.**

31 SECTION 5. IC 35-52-9-14.6 IS ADDED TO THE INDIANA
 32 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2020]: **Sec. 14.6. IC 9-21-8-35 defines a crime**
 34 **concerning traffic regulation.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1225, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1225 as introduced.)

MCNAMARA

Committee Vote: Yeas 10, Nays 1

 HOUSE MOTION

Mr. Speaker: I move that House Bill 1225 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-19-13-4, AS AMENDED BY P.L.144-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. A bus used to transport school children must be equipped as follows:

(1) At least two (2) signal lamps mounted as high and as widely spaced laterally as practicable, capable of displaying the front two (2) alternately flashing red lights located at the same level, and having sufficient intensity to be visible at five hundred (500) feet in normal sunlight.

~~(2) Black reflective tape mounted on:~~

~~(A) each side of the school bus;~~

~~(B) the front bumper; and~~

~~(C) the rear bumper.~~

~~(3) (2) As required by the state school bus committee under IC 20-27-3-4.~~

~~(4) (3) As required by IC 20-27-9."~~

Renumber all SECTIONS consecutively.

(Reference is to HB 1225 as printed January 24, 2020.)

DELANEY

