

SENATE BILL 49

R5

0lr0468

(PRE-FILED)

By: **Senator Colburn**

Requested: August 7, 2009

Introduced and read first time: January 13, 2010

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Vehicle Approaching Emergency or Police Vehicle – Duty to**
3 **Change Lane or Slow Down**

4 FOR the purpose of requiring drivers approaching emergency or police vehicles
5 stopped, standing, or parked on a highway and using any visual signals, except
6 when otherwise directed by a police officer, to vacate the lane closest to the
7 emergency or police vehicle under certain circumstances or to slow to a speed
8 that is sufficient to ensure the safety of police officers or emergency services
9 personnel in the vicinity of the emergency or police vehicle under certain
10 circumstances; and generally relating to requiring drivers to take certain
11 actions when approaching 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 (2009 Replacement Volume and 2009 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 **THAT IS** using audible and visual
13 signals that meet the requirements of § 22–218 of this article or a police vehicle
14 lawfully using an audible signal unless:

15 (1) The emergency vehicle has stopped; or

16 (2) Otherwise directed by a police officer.

17 (e) **EXCEPT AS OTHERWISE DIRECTED BY A POLICE OFFICER, WHEN AN**
18 **EMERGENCY OR POLICE VEHICLE USING ANY VISUAL SIGNAL IS STOPPED,**
19 **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 (1) **IF THE VEHICLE IS TRAVELING ON A HIGHWAY WITH TWO OR**
23 **MORE LANES OF TRAFFIC MOVING IN THE DIRECTION THAT THE EMERGENCY OR**
24 **POLICE VEHICLE IS FACING, VACATE THE LANE CLOSEST TO THE EMERGENCY**
25 **OR POLICE VEHICLE; OR**

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

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

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
36 October 1, 2010.