

HOUSE BILL 625

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By: **Delegates Shank, Donoghue, McKee, Stull, Malone, Parrott, Glassman,
Snodgrass, and Moe**

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Assigned to: Commerce and Government Matters

Committee Report: Favorable
House action: Adopted
Read second time: March 6, 2001

CHAPTER 490

1 AN ACT concerning

2 **Emergency Vehicles - Use of Flashing Lights While Parking and Backing**

3 FOR the purpose of authorizing the driver of an emergency vehicle to use flashing
4 lights within a certain distance of the entrance ramp to a fire or rescue station
5 while parking or backing the vehicle; prohibiting the driver of a vehicle from
6 passing an emergency vehicle within a certain distance of an entrance ramp to a
7 fire or rescue station when the driver of the emergency vehicle is parking or
8 backing the vehicle; making technical corrections; and generally relating to the
9 use of flashing lights while parking or backing emergency vehicles.

10 BY repealing and reenacting, with amendments,
11 Article - Transportation
12 Section 21-106, 21-1109, and 22-218(c) and (e)
13 Annotated Code of Maryland
14 (1999 Replacement Volume and 2000 Supplement)

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

17 **Article - Transportation**

18 21-106.

19 (a) Subject to the conditions stated in this section, the driver of an emergency
20 vehicle registered in any state may exercise the privileges set forth in this section
21 while:

- 1 (1) Responding to an emergency call;
- 2 (2) Pursuing a violator or suspected violator of the law; or
- 3 (3) Responding to, but not while returning from, a fire alarm.

4 (b) Under the circumstances stated in subsection (a) of this section, the driver
5 of an emergency vehicle may:

- 6 (1) Park or stand without regard to the other provisions of this title;
- 7 (2) Pass a red or stop signal, a stop sign, or a yield sign, but only after
8 slowing down as necessary for safety;
- 9 (3) Exceed any maximum speed limit, but only so long as the driver does
10 not endanger life or property; and
- 11 (4) Disregard any traffic control device or regulation governing direction
12 of movement or turning in a specified direction.

13 (c) (1) Subject to paragraph (2) of this subsection, the privileges set forth in
14 this section apply only while the emergency vehicle is using audible and visual signals
15 that meet the requirements of § 22-218 of this article, except that an emergency
16 vehicle operated as a police vehicle need not be equipped with or display the visual
17 signals.

18 (2) The privileges set forth in subsection (b)(1) of this section apply only
19 while the emergency vehicle is using visual signals that meet the requirements of §
20 22-218 of this article.

21 (3) (I) The driver of an emergency vehicle may not use flashing lights
22 or a bell, siren, or exhaust whistle while returning from an emergency call or fire
23 alarm, except that fire apparatus carrying standing firemen may use flashing lights
24 that are visible only to the rear.

25 (II) THE DRIVER OF AN EMERGENCY VEHICLE, WHILE PARKING OR
26 BACKING THE EMERGENCY VEHICLE, MAY USE FLASHING LIGHTS WITHIN 100 FEET
27 OF THE ENTRANCE RAMP TO A:

- 28 1. FIRE STATION; OR
- 29 2. RESCUE STATION.

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

32 21-1109.

33 (A) Unless he is on official business, the driver of a vehicle may not:

1 (1) Follow within 500 feet of any fire apparatus traveling in
2 response to a fire alarm; or

3 (2) Drive or park within 300 feet of any fire apparatus stopped in
4 response to a fire alarm.

5 (B) THE DRIVER OF A VEHICLE MAY NOT PASS AN EMERGENCY VEHICLE
6 WITHIN 100 FEET OF AN ENTRANCE RAMP OF A FIRE OR RESCUE STATION WHEN THE
7 EMERGENCY VEHICLE IS IN THE PROCESS OF PARKING OR BACKING.

8 22-218.

9 (c) (1) A person may not drive or move on any highway any vehicle or
10 equipment that is equipped with or displays any light or signal device designed to
11 emit an oscillating, rotating, blinking, or other type of emission of light, unless
12 designated and authorized by the Administrator as indicated in paragraphs [(1)] (2)
13 through [(9)] (10) of this subsection. The provisions of this section do not prohibit the
14 display and use of any lighting device that may be permitted or required elsewhere in
15 the Maryland Vehicle Law.

16 [(1)] (2) Vehicles of the police department and other city, county, State,
17 or federal law enforcement agencies may be equipped with and display red, white, or
18 blue lights or signal devices.

19 [(2)] (3) (i) Vehicles of city, county, State, or federal fire departments
20 or duly constituted volunteer fire departments or rescue squads, or the Maryland
21 Institute for Emergency Medical Services System, may be equipped with or display
22 red and/or white lights or signal devices.

23 (ii) In each volunteer fire company, no more than five of the
24 following officers may have their privately owned vehicles equipped with red lights or
25 signal devices which may be displayed only while on route to or at the scene of an
26 emergency:

27 1. The fire chief or the highest ranking fireline officer;

28 2. One or more of the assistant chiefs or deputy chiefs,
29 whichever rank is second in command; and

30 3. The emergency medical services commander.

31 (iii) 1. The fire police of each volunteer fire company may have their
32 privately owned vehicles equipped with red lights or signal devices designed to emit
33 an oscillating, rotating, blinking, or other type of emission of light.

34 2. The lights or signal devices may be flashed or oscillated or
35 otherwise used only while the vehicle is at the scene of an accident, flood, or other
36 emergency to which the volunteer fire company is responding.

1 [(3)] (4) Ambulances may be equipped with or display red and/or white
2 lights or signal devices.

3 [(4)] (5) State vehicles used in response to oil or hazardous materials
4 spills may be equipped with or display red and/or white lights or signal devices.

5 [(5)] (6) Service vehicles, rural letter carrier vehicles, slow moving farm
6 vehicles, and tow trucks may be equipped with or display yellow or amber lights or
7 signal devices.

8 [(6)] (7) State vehicles designated for emergency use by the
9 Commissioner of Correction may be equipped with or display red lights or signal
10 devices.

11 [(7)] (8) (I) [The] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF
12 THIS PARAGRAPH, THE blue, red, or white lights or signal devices may be flashed or
13 oscillated or otherwise used only while on route to or at the scene of an emergency,
14 and their use does not relieve an emergency vehicle from otherwise giving an audible
15 warning as required elsewhere in the Maryland Vehicle Law.

16 (II) THE DRIVER OF AN EMERGENCY VEHICLE MAY USE FLASHING
17 LIGHTS WITHIN 100 FEET OF THE ENTRANCE RAMP OF A FIRE OR RESCUE STATION
18 WHILE PARKING OR BACKING THE EMERGENCY VEHICLE.

19 [(8)] (9) The yellow or amber lights or signal devices permitted on
20 vehicles under paragraph [(5)] (6) of this subsection may be flashed or oscillated or
21 otherwise used only in the course of official duties, to indicate to the public that the
22 vehicle is a slow moving vehicle or otherwise is impeding traffic.

23 [(9)] (10) (i) An emergency vehicle of any foreign state may be
24 equipped with any lights or signals:

25 1. As provided by this subsection; or

26 2. As permitted by the state in which the vehicle is
27 registered.

28 (ii) 1. The use of any lights or signals permitted under this
29 paragraph is limited to an emergency vehicle, as defined in § 11-118 of this article,
30 responding to an emergency or pursuing a violator, and equipped with an audible
31 signal as provided in this section.

32 2. Foreign vehicles, as defined in § 11-124 of this article,
33 which are privately owned by members of volunteer fire companies, ambulance or
34 rescue squads, fire departments, and law enforcement agencies may be equipped with
35 lights or signals as permitted by the state in which the vehicle is registered, but such
36 lights or signals may be used while the vehicle is in this State only by those personnel
37 and under the circumstances authorized under [subsection (c)(2)] PARAGRAPH (3) of
38 this [section] SUBSECTION.

1 [(10)] (II) In addition to the penalties provided in Title 27 of this article,
2 any person convicted of a violation of this section may have his driving privileges
3 suspended for a period of 30 days, and the registration of the vehicle may be
4 suspended for a period of 30 days, notwithstanding that the owner of the vehicle may
5 not be the operator at the time of the offense, unless the owner proves to the
6 satisfaction of the Administration that he had no control over the use or display of a
7 light or signal device and could not prevent the violation of this section.

8 (e) Except as provided in subsection [(c)(2)] (C)(3) of this section, the flashing
9 lighting described in subsections (b) and (c) of this section may not be used on any
10 vehicle other than an emergency vehicle, service vehicle, or school vehicle.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2001.